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NATIONAL ATTITUDES ON THE FAR EASTERN CONTROVERSY

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I

Students of international relations are concerned with the description, prediction, and control of the external behavior of states, particularly of their more violent types of behavior such as intervention, hostilities, and war. It is clear that mere description of a diplomatic or military event has little meaning by itself and that such an event can neither be predicted nor controlled unless account is taken of the circumstances which preceded it within each of the states involved. Among the internal circumstances which have been studied are the correspondence of statesmen, the declarations of legislatures, executives, foreign offices, and political parties, the prescriptions of constitutional law and procedure, the traditional policies manifested by the history of the state, and the understandings of treaty and international law accepted by the community of nations at the time and presumably by the states involved.

All of these may throw light upon the external act to be explained, but all of them consist of specialized phenomena difficult to generalize or of broad guides to policy within which much variation of behavior may occur. Is it possible to produce a concept of the total situation within a state leading to external behavior such that the total situation may be measured?

Such a concept for the state corresponds closely to what the psychologists have described as an attitude leading to overt behavior by an individual. Historians have, in fact, applied the concept of attitudes to states and other social groups.[1] In individual

[1] See, for example, comments on the methods of F. J. Turner by Merle Curti, in S. A. Rice, *Methods in Social Science* (Chicago, 1931), p. 364.

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psychology, the attitude corresponds to a total situation, whether manifested by the organization of nerve tissue, by the past experience of the organism, or by social mores and habitual behavior patterns which, at a given moment, predispose the individual to act in a given way on the occurrence of defined stimuli.

"The total act—as the term is used in experimental psychology—has a history within the organism, a beginning, a climax, and an end for which the stimulus is more or less incidental, and for which the purely muscular part is but an easily observable aspect. All those factors involved in the readiness or preparedness of the organism to respond are referred to under the term which we have used, i.e., determining tendencies, mental set, and attitudes. These include all the processes preceding and determining the motor side of the act, not excepting those processes which antedate the stimulus itself. The latter becomes merely a releasing mechanism."[2]

The attitude may differ both from the individual's expression of opinion about it and from his action flowing from it.

"Neither his opinions nor his overt acts constitute in any sense an infallible guide to the subjective inclinations and preferences that constitute his attitude. Therefore, we must remain content to use opinions, or other forms of action, merely as indices of attitude. It must be recognized that there is a discrepancy, some error of measurement, as it were, between the opinion or overt action that we use as an index and the attitude that we infer from such an index."[3]

If we could transfer this concept to the state and measure the state's "attitude" toward a given object at a given moment in comparison both with its own attitude toward the object at other times and with the attitude of other states toward the object, we should have material valuable for purposes of prediction or even control. From the standpoint of prediction, we might assume that an attitude toward a given object, on attaining a certain intensity, would take the form of definite overt behavior—war, for instance—and that attitude curves of characteristic forms may be extrapolated for limited periods of the future if certain essential conditions can be assumed to be persistent. From the standpoint of control, we might be in a position to devise means for changing the conditions responsible for the development of an attitude, or even for modifying the attitude through direct appeals while it was growing but before it had reached a dangerous intensity.

[2] Franklin Fearing, *Experimental Study of Attitudes*, in Rice, *op. cit.* p. 716 ff.

[3] L. L. Thurstone, "Attitudes Can be Measured," *American Journal of Sociology*, Vol. 33, p. 532 ff. See also definitions of attitude by J. M. Williams and S. A. Rice, in Rice, *op. cit.*, pp. 460, 586, 726.

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Such a study of state attitudes could not be wholly divorced from knowledge of the constitutional structure of the state. In an absolute monarchy, the attitude of the state might be the attitude of its ruler, and the problem one of that individual's psychology. Where authority is vested in a limited group or class, not merely formally but actually, the attitude of that class would have to be measured. In so far as government approximates to an instrument for the execution of public opinion within the state's population, that opinion would indicate the attitude we seek.

II

The present study presents a method of measuring the attitude of one state toward another through newspaper sampling and judging. It is possible that where newspapers exist within a state, some can always be found that represent the attitude of the individual or group or public that really controls state policy. Where the government is autocratic, the press may be so controlled that it reflects the opinion of the autocracy. When the government is popular, the press may represent the public which the government follows. It is significant that this method has yielded results commending themselves to common sense for states as diverse as the United States, Japan, and China.

The graphs in figure 1 constructed by this method indicate the attitudes of certain American papers over a period of twenty years toward France and Germany. The reader will note in figure 2 the close correspondence between the results obtained by different judges of the selected statements and in figure 1 the rough correspondence between the attitudes of the different papers studied. He can form his own judgment as to the correspondence of these attitudes with a common-sense interpretation of this period of American history. Figure 3 indicates the percentage distribution of attitude statements toward France and Germany in the three American papers over the entire twenty-year period. The more normal distribution of the attitudes of the *New York Times* suggests greater conservatism, though the different location of the media of the curves indicates a persistent pro-French and anti-German bias. The attitude of the Chicago papers, on the other hand, was comparatively impartial toward the two countries if the thirty-year period is treated as a unit. The bi-modal distribution of the statements from the Chicago papers perhaps indicates a desire to in-

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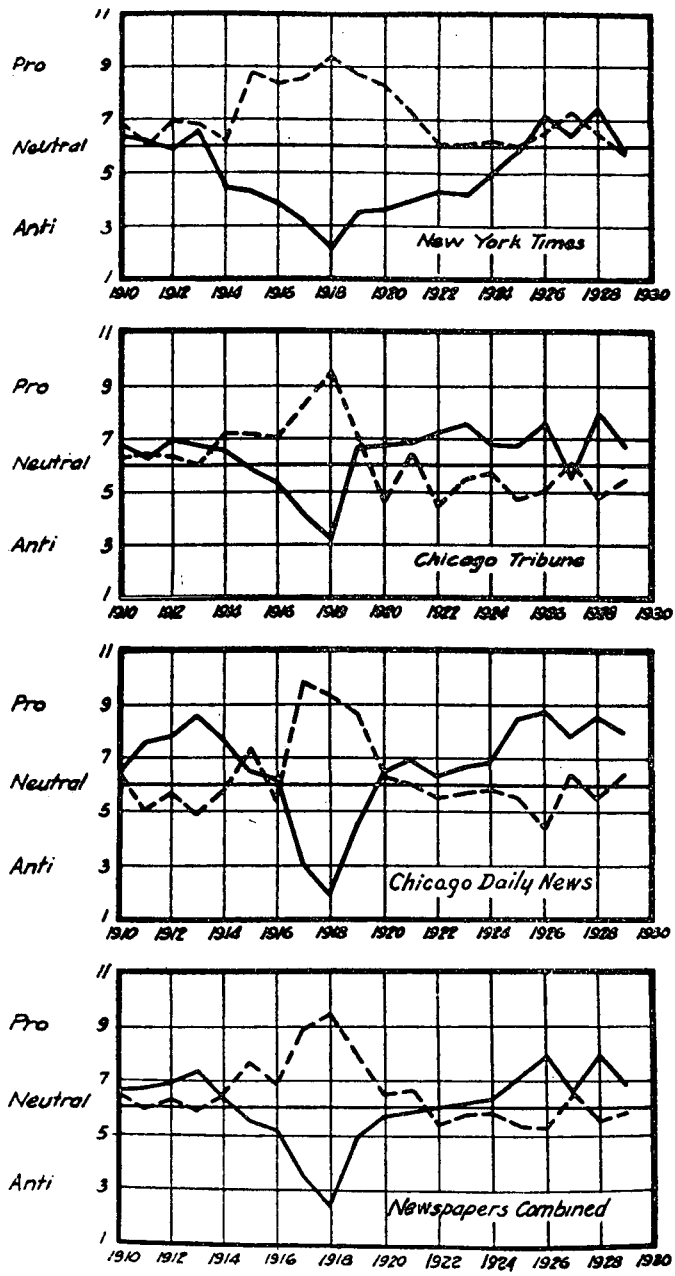

Figure 1

Trends in attitude toward France and Germany of the *New York Times*, *Chicago Tribune*, and *Chicago Daily News*, and of the three newspapers combined for the period 1910–29. Intensity of attitude is plotted along the ordinate (1 = most anti, and 11 = most pro) and time by years is plotted along the base line. The solid lines indicate the trends in attitude toward Germany and the broken lines toward France.

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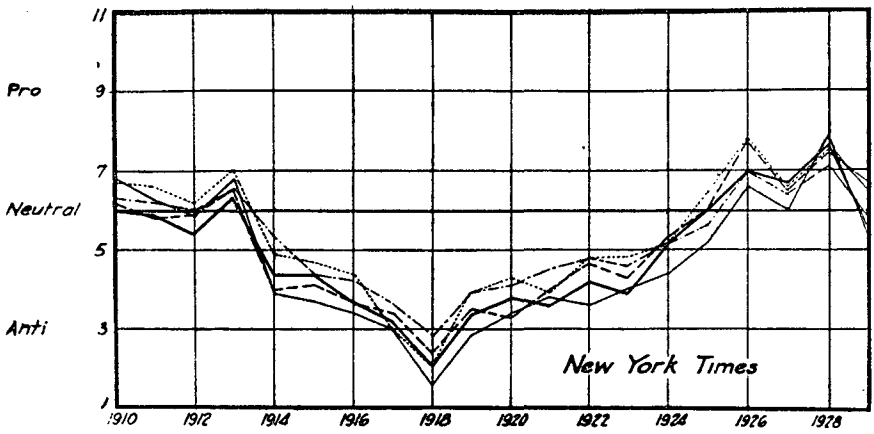

Figure 2

Agreement among five judges of attitude indicators. The five trend lines represent the individual judgments of five judges in determining the trend in attitude toward Germany of the *New York Times* for the period 1910–29.

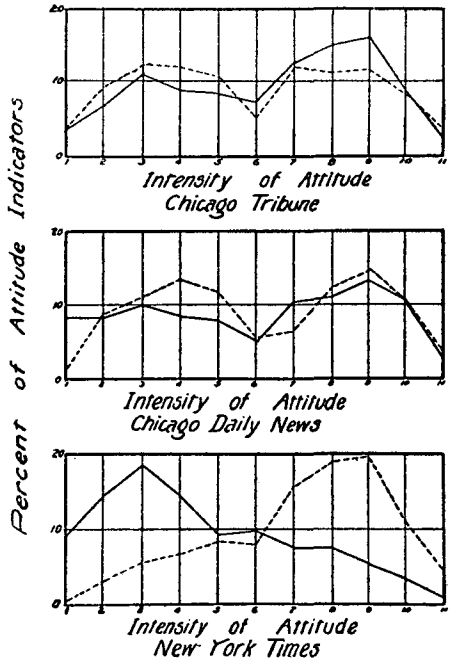

Figure 3

Distribution of intensity of attitude toward France and Germany of the *Chicago Tribune, Chicago Daily News*, and *New York Times* for the period 1910–29. Per cent of attitude indicators is plotted along the ordinate and intensity of attitude is plotted along the base line. The solid lines indicate the distribution of intensity of attitude toward Germany, and the broken lines the distribution of intensity of attitude toward France.

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terest the reader by preferring positive statements pro or con to neutral statements.[3a]

Various other methods for measuring attitudes are discussed later in this paper, but the method here presented seems to have certain advantages, apart from relative reliability, in requiring less labor than some others and in giving not merely the direction, but the degree, of intensity of attitude toward a given object.

Obviously, to give the attitude of a state rather than the attitude of a particular newspaper, data should be collected from more papers than it was possible to examine in this study. But other studies made by the same method indicate that differences between different papers of wide general circulation are less than might be supposed on this question of attitude toward another state. In the following comments, the curve is discussed as though it represented the attitude of a state. The reader should bear in mind that in fact it represents only the attitude manifested by selected statements from a limited number of papers circulating in the state.

If the curve produced by this method should actually prove a reliable index to future action by the state, it might be of considerable utility in the art of statesmanship. We may envisage the ultimate development of agencies similar to the business forecasting agencies. Such an agency would analyze great numbers of papers from day to day and depict the changing attitudes of states in moving graphs. These graphs could be distributed to all parts of the world as a regulating device for statesmen. The danger spots of world politics would stand out, not as matters of opinion, but as measurable quantities. If success by action of the League of Nations in preventing war depends upon the mobilization of public opinion before the event, this might give the data necessary for such mobilization.

Obviously, before such ambitious uses are seriously contemplated it is necessary that the method be tested by many more cases. If a given trend of attitude or form of attitude curve has a definite significance in terms of eventual overt action by the state, this

[3a] It may be suggested that a high proportion of extreme attitudes on political questions indicates a high tension level in the community, unfavorable to political stability. This conforms to President Lowell's suggestion for measuring the healthiness of the state by the degree of concentration of political parties toward the center. *Public Opinion and Popular Government* (New York, 1914), p. 94.

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could be known only after hundreds of such curves had been constructed from historic data. Fortunately, the data exist in the files of newspapers in the great libraries. The attitude curves of the participants in almost every international event of the last fifty years could be constructed from the data by persons with the neces-

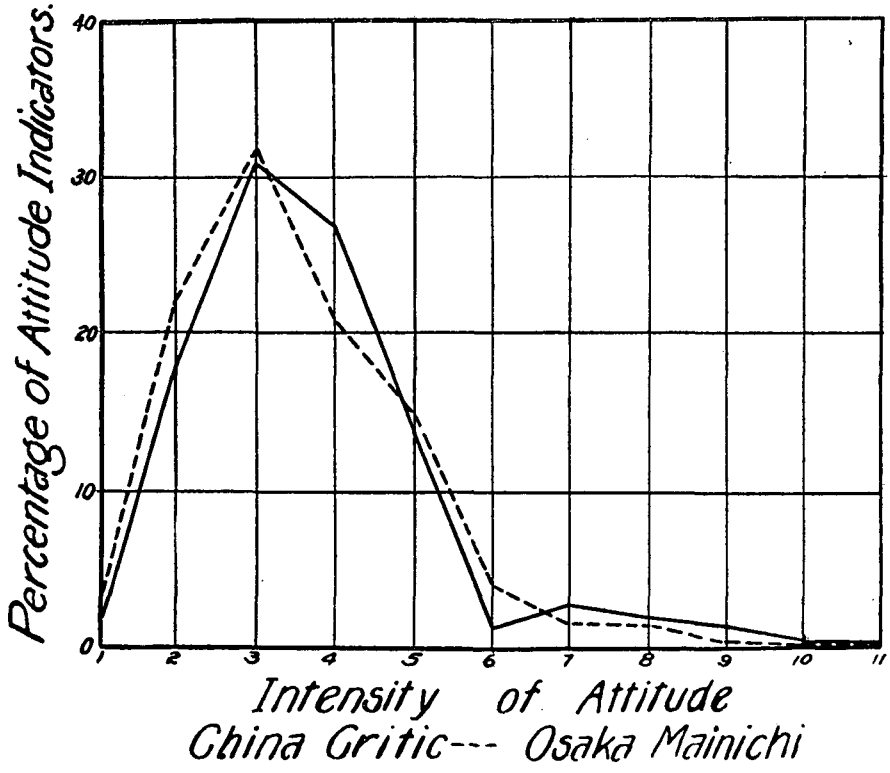

Figure 4

Distribution of intensity of attitude of the *China Critic* and other Chinese publications toward Japan (broken line), and of the *Osaka Mainichi* toward China (solid line), for the period 1930–32. Per cent of attitude indicators is plotted along the ordinate, and intensity of attitude is plotted along the base line.

sary language equipment, and their forms studied and compared. Until an abundance of such studies are at hand for purposes of comparison, we must content ourselves with testing the value of the trends by their correspondence with a common-sense judgment of the significance for the attitude represented of the historic events occurring in the relations of the two states.

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III

Before considering the circumstances of Sino-Japanese relations in the three years depicted (1930, 1931, 1932) (see figure 5), four obvious features of these curves may be noted:

(1) During the entire period, if the curve is reliable, each country has had an unfriendly attitude toward the other, with the exception

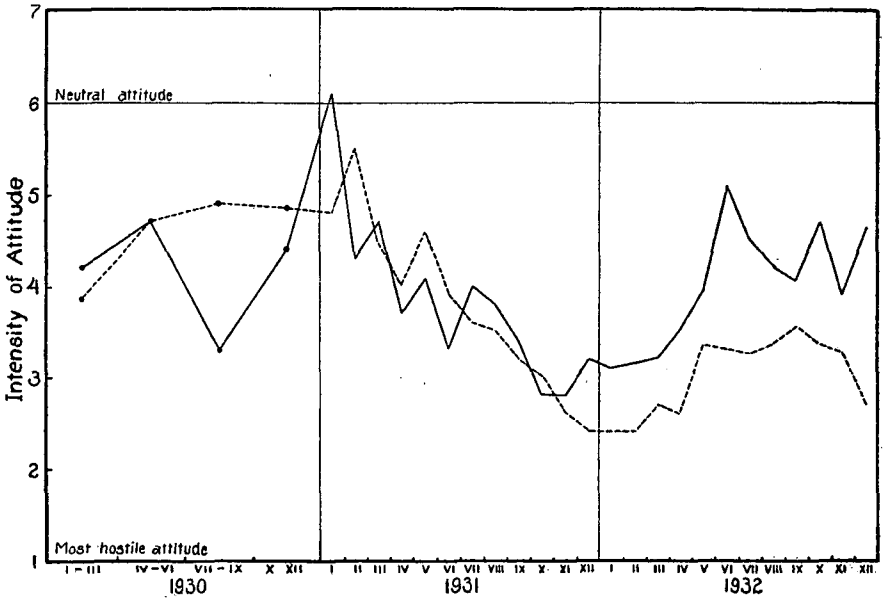

Figure 5

Trends in attitude of the *China Critic* and other Chinese publications toward Japan (broken line) and of the *Osaka Mainichi* toward China (solid line), for the period 1930–32. Intensity of attitude is plotted along the ordinate and time (by quarters for 1930; by months for 1931 and 1932) along the base line.

of Japan's attitude toward China in January, 1931.[4] But the lowest points in the two curves mark the place where active military operations were taking place between the two. Is it possible that a

[4] The percentage distribution of attitude statements from the Chinese and Japanese papers during the entire period of three years is indicated in figure 4. The close correspondence of the curves for the two countries is significant. The graph for the Japanese papers exhibits a slight bi-modal character, while that for the Chinese papers does not. It is perhaps significant that this tendency toward positive statements pro or con in preference to neutral statements should appear more in the Japanese than in the Chinese press. Figure 3 indicates that the Chicago papers tend to be even more positive in this sense than the Japanese, while the *New York Times* displays a more normal distribution curve.

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certain threshold exists below which unfriendliness of attitude inevitably develops into active warfare? An affirmative answer is also suggested by the previously given curve of America's attitude toward Germany and France (figure 1).

(2) The curve representing China's attitude is considerably smoother than that representing Japan's—a condition which might

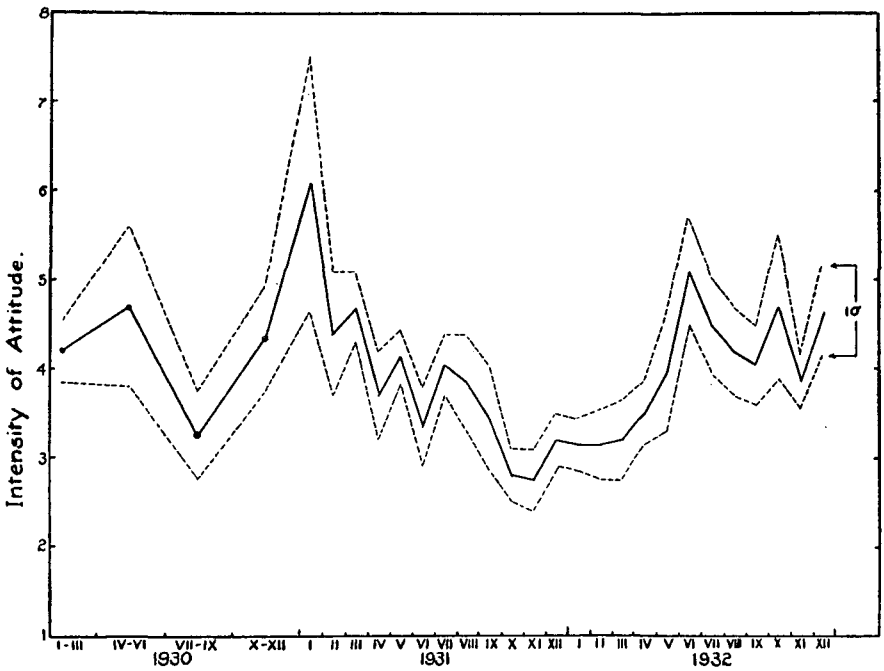

Figure 6

Trend in attitude of the *Osaka Mainichi* toward China during the period 1930–32. The solid line represents the trend in mean attitude intensity. The broken lines show the variability in attitude intensity in terms of the standard deviation (σ). For example, during the first quarter of 1930 the mean intensity of attitude was 4.18 with a standard deviation of 0.69, the latter value being the scale distance between the two broken lines.

be expected if the Japanese government exercised a greater control over the press than did the Chinese government. It seems probable that the attitude of a government would respond more delicately to varying political situations than would the attitude of a population. On the other hand, the difference may result from the fact that the curve of Chinese attitude is based on a larger number of

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statements from a larger number of papers. The smoothing effect of large numbers is well recognized.

(3) Before the bombardment of Mukden, which occurred on September 18, 1931, and which began the Japanese *de facto* war against China and the occupation of Manchuria, China had, on the whole, the less hostile attitude, while after that her attitude was,

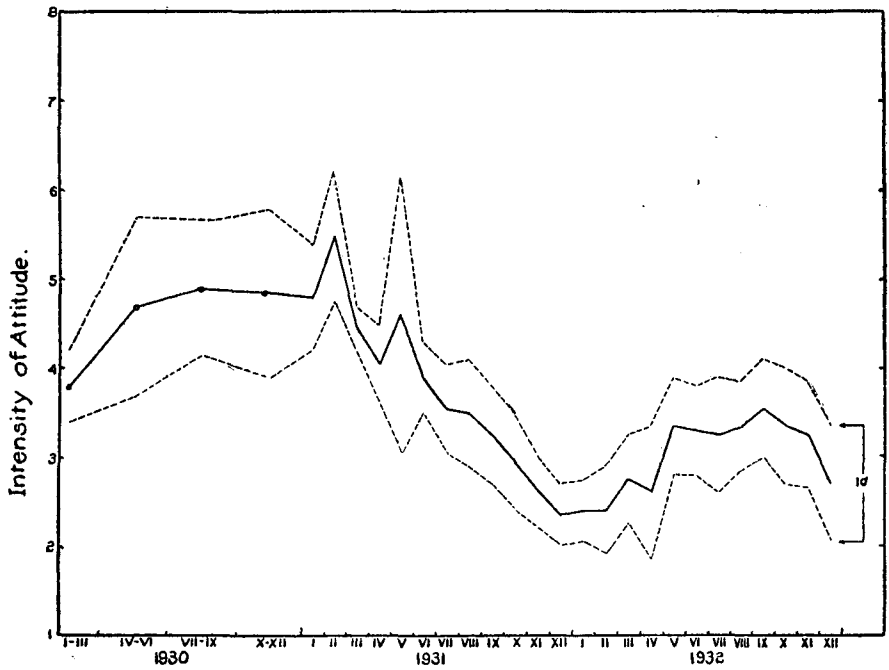

Figure 7

Trend in attitude of the *China Critic* and other Chinese publications toward Japan during the period 1930–32. The solid line represents the trend in mean attitude intensity. The broken lines show the variability in attitude intensity in terms of the standard deviation (σ).

on the whole, more hostile. This would seem normal for the surprised victim of a superior military power.

(4) The somewhat rhythmic character of the curve over a cycle of a year and a half is perhaps significant. It may be difficult for a population to harbor an attitude of extreme hatred without occasional respite.

The period covered opens with China declaring the abolition

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of extraterritoriality (December 28, 1929),[5] which Japan opposed less than other Powers. China was also still in controversy with Soviet Russia over the latter's military invasion of Manchuria during the fall of 1929, while Japan was vigorously but unsuccessfully attempting to get her naval ratio raised in the London Conference. These circumstances might well tend toward an improvement of the attitudes of China and Japan toward each other, and this effect might well have been increased by the Japanese election of February 20, 1930, yielding a good majority in the Diet for the Minseito party, which had been in control of the government and traditionally favorable to a policy of friendship toward China, at least relative to the rival Seyukai party.[6]

In April, the Nanking government negotiated a tariff treaty with Japan which was satisfactory to China (signed May 6, 1930). Japan, however, had bitterly opposed the granting of tariff autonomy to China because she thought China might then raise her tariff to the detriment of the Japanese cotton-textile market. The other Powers had forced Japan into a position where she was obliged to accept the Chinese emancipation in this regard; but it would not be surprising if this circumstance, while improving China's attitude toward Japan, should have caused resentment against China in Japan.

During the year 1930, the silver exchange had steadily declined to the detriment of Chinese business, and in May civil war against Nanking was begun by two northern generals, Feng Yu-hsiang and Yen Hsi-shan; Communist disturbances increased in central China, and Canton became disaffected. During this period when the Chinese people were paying close attention to civil war and domestic problems, it would be natural for the attitude of China toward Japan to change very little.

Change for the better in the trend of Japan's attitude toward China occurred in September, 1930, at just the time when the London naval treaty, which had been bitterly contested by the navy and the Seyukai party, was finally approved by the privy

[5] The dates and events are taken from the chronology in the bi-weekly bulletin issued by the Royal Institute of International Affairs of London. These data based on contemporary reports probably give a better indication of what seemed important, and so influenced opinion at the time, than would subsequent historical accounts, which, while perhaps more accurate in details, would be influenced by knowledge of the consequences, in their judgments on the importance of events.

[6] The results were: Minseito, 273 seats; Seyukai, 174 seats.

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council (September 17), and when Chang Hsueh-liang, the war-lord of Manchuria, abandoning his neutral course, came out for Nanking in the civil war and, marching from the north with the Manchurian army, quickly discomfited Feng and Yen, permitting the Nanking government to reëstablish its authority in the north, to make good progress against the Communists, and to register a request at Geneva for revision of the unequal treaties under Article 19 of the Covenant. In the midst of these events adding to the prestige of Nanking, Premier Hamaguchi of Japan praised the London treaty and congratulated the world upon its transition from the "pioneer" to the "settlement" stage when everyone would respect the possessions of everyone else (October 27). On November 14, Hamaguchi was shot by a Japanese fanatic, receiving a wound from which he died nine months later, but the good feeling toward China seems to have continued. Foreign Minister Shidehara again sang the praises of the London treaty on January 22, and to all appearances the atmosphere was peaceful. One might assume that the Japanese party of peace was in the saddle and that the press responded, the shooting of Hamaguchi perhaps indicating a realization of this fact by the domestic opposition.

The rise in China's attitude toward Japan in February, 1931, may have been in response to this friendly attitude which Japan had been displaying, but it is difficult to account for the startling drop in Japan's attitude toward China at about the same time. Perhaps the country was realizing the significance for its old ambitions in Manchuria of the growing solidarity between the war-lord of Manchuria and the Nanking government. The change in the Chinese attitude which followed that of Japan could be interpreted as a response to the change in the Japanese attitude.

Among events in the next few months was the acrimonious dispute of Japan with Soviet Russia over fisheries (February 3, to April 25), the continued drop in the value of silver, the succession of Wakatsuki to Hamaguchi as Japanese prime minister (April 14), the adoption of a new Chinese constitution by the People's Convention (May 12), and a new revolt in southern China (May 29). It is difficult to find in these events any explanation for the oscillating, but generally downward, trend of both the Chinese and Japanese attitudes during these months. The Chinese later charged that Japanese opinion had been prepared for the Manchurian invasion by propaganda months before. The Japanese curve could be

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explained as the trend of a controlled press to create an attitude of hostility to China, while the Chinese curve may be explained as a response to that attitude. The extremely irregular character of the Japanese attitude toward China might be attributed to internal conflict in Japan between the liberal-industrial group favoring friendship with China as a means to commercial expansion and the military-agrarian group favoring a strong Manchurian policy even at the expense of Chinese hostility.

On June 14, 1931, Count Uchida was appointed president of the South Manchuria Railroad, and negotiations to settle the accumulated Manchurian disputes were actively taken up. A Japanese officer, Captain Nakamura, was assassinated by Chinese in Manchuria on June 18, but nothing was heard of the incident for some weeks. The Wanpaoshan incident (July 2), which involved a clash between Chinese and Korean farmers in the presence of both Chinese and Japanese police near Chang-chun, Manchuria, was given unfortunate publicity, and led to rioting against Chinese in Korea and the killing of several hundreds. China protested, and the anti-Japanese boycott began soon after. These events may account for the increase of Chinese unfriendliness toward Japan in July, while Japan, still controlled by the pacific Minseito government, attempted to assuage feelings by an official expression of regret on July 10. If Japan had been carrying on an anti-Chinese press campaign, for the moment she seems to have worked to keep the peace. Soon Japanese sentiment resumed its downward trend, although on August 6 diplomatic relations between the two countries were reëstablished by the exchange of ministers after a breach since 1929 when China refused to accept Obata because of his participation in the government which presented the Twenty-one Demands in 1915. The downward trend of Japanese opinion, coupled with official overtures of reconciliation, would be consistent with the theory that the Minseito government was making desperate efforts to carry out its policy—peace with China—in the face of a rising influence in Japanese opinion and in the press of the more bellicose opposition.

During August, China was troubled by severe floods of the Yangtse, said to have rendered eighty million people destitute. She pressed demands for a settlement of the Korean incident. On August 26, ex-Premier Hamaguchi of Japan died from the wound received on November 14, and on September 9 Japan sent a per-

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emptory note demanding a settlement for the killing of Captain Nakamura in June—following this by a request on September 15 for an explanation of President Chiang Kai-shek's speech of September accusing Japan of occupying Wanpaoshan on September 5, of instigating the Korean massacres, and of supplying arms to the rebellious Cantonese. Perhaps the Minseito government, perceiving that its pacific advances to China had diminished its popularity at home, was now, following the death of its former pacific leader, trying to keep in power by stealing the opposition's thunder. It is also to be noted that the important railway negotiations begun in the spring and continued sporadically into the summer had broken down on account of the failure of Chang Hsueh-liang and Kao Chi-i to attend the conference because of illness (Chinese version) or obstructiveness (Japanese version).

The bombardment of Mukden occurred on the night of September 18, followed by the occupation of much of Manchuria and by China's appeal to the League of Nations. With the success of her arms, the Japanese attitude toward China seems to have improved, while the Chinese attitude toward Japan went in the opposite direction, reaching a low in December, January, and February. This period had been preceded by violent anti-Japanese boycott agitation, and it was signalized by the collapse of all government in China for a time before the vigorous demands for war by masses of students, by the Japanese occupation of Chinchow and Shanhaikwan (the last cities of Manchuria to remain in Chinese possession), and the bombardment of Shanghai. In the latter attempt, Japan met unexpected resistance by Chinese troops, and her attitude toward China appears to have been slightly worsened. Apart from this, however, the Japanese plan proceeded without hitch despite the growing antagonism of Geneva and of the United States, the latter manifested by Secretary Stimson's vigorous note of January 7, 1932.

The Minseito government, after making several vain promises to call off the military in Manchuria, had given way to the Seyukai party in December. The latter, always more favorable to a forward Manchurian policy, continued the occupation with a will in spite of the series of assassinations, during the winter, of prominent Japanese statesmen by youthful patriots opposed to all politicians, culminating in the killing of Prime Minister Inukai on May 15, 1932. A Manchurian government was set up. Henry Pu-yi, the last of the Manchu emperors, was brought from Tientsin and made

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president. In the spring, talk of recognizing the new state began in Japan. While Japan was rapidly achieving the results her military party hoped for from her undeclared war with China, her attitude toward the latter country seems to have improved. Furthermore, the Seyukai government had abandoned gold, and the consequent inflation stimulated trade, greatly augmented profits while manufactures could still be made from raw materials bought before the yen went down, and reduced the burden of debt upon the peasantry.

The violent change in the Japanese attitude toward China which occurred in June may have arisen from expectation that the report of the Lytton Commission would be adverse. Count Uchida, now foreign minister in the Saito cabinet formed on the death of Inukai as a non-partisan, national government under strong military influence, suggested recognition of Manchukuo, and on June 13 the Japanese Diet passed a resolution favoring such action. Although Japan had originally suggested sending the commission provided for in the League's resolution of December 10, 1931, she doubtless expected a favorable report; and on discovering that this was not going to be realized she resolved to defy the League and the world by creating a *fait accompli* in the recognition of Manchukuo. The necessity of doing this, however, might well have revived her hostility to China, whom she would hold accountable for this embarrassing situation. The recognition of Manchukuo actually took place by treaty on September 15. The remainder of the autumn of 1932 was occupied with Japanese operations against bandits (according to Japan) or patriots (according to China) in Manchuria, the publication of the Lytton Report on November 20, and the debate on it in the League Council (November 21) and later in the Assembly (December 6).

The improvement in China's attitude toward Japan in April, 1932, may have resulted from her success, with the aid of the League, in getting Japan out of Shanghai (April 27) and her satisfaction with the attitude of the Lytton Commission, which by that time she may have known was not unfavorable. The worsening of the Chinese attitude toward Japan began soon after Japan's definite announcement that she was going to recognize Manchukuo (August 24). China may have realized that even with the support of the League it would be a difficult process to re-acquire the territory after this event, and her bitterness and resentment toward

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Japan increased, stimulated by the obvious Japanese preparations for the invasion of Jehol province at the end of the year.

IV

Before stating the method used in securing the attitude curves shown above, it may be well to review briefly some of the methods which have been employed to measure attitudes.

Watson[7] used a questionnaire in which the judges indicated the descriptive term which characterized the object. For example, the judges were asked to indicate how they felt toward the Japanese in terms of indicators such as "alert," "progressive," "untrustworthy," "ingenious," "conceited." Average group judgments were arranged in profile form for representative attitude indicators. He also used a variation of the rating-scale method. For example, the judges were asked to indicate whether the statement, "Japan's growing population probably cannot be solved unless white peoples allow free Japanese immigration into their countries," was true, probably or partly true, in doubt, probably or partly false. Average group judgments were then determined. Rice[8] had students subjectively rate themselves on an eight-point scale of political opinion from extreme radicalism to extreme reaction. It was assumed that the eight steps were consistent. The profile method is clumsy and has little to recommend it. The rating-scale method usually has the disadvantages that there is no assurance of comparability in the differences between the judgmental categories, that the number of degrees of intensity is narrowly restricted, and that the judges determine the degree of intensity of attitude of each attitude indicator without reference to other indicators.

Investigators who used what we may describe as an "all-or-none" method are Rice[9] and Hart.[10] Rice used votes as indices of political attitudes, and measured progressive attitude in terms of

[7] Goodwin B. Watson, *Orient and Occident; A Preliminary Study of Opinions and Attitudes of Groups of Americans Regarding Oriental Peoples and Questions* (Teachers College, Columbia University, 1927).

[8] S. A. Rice, "Differential Changes of Political Preference Under Campaign Stimulation," *Journal of Abnormal Social Psychology*, Vol. 21, pp. 297–303.

[9] S. A. Rice, *Farmers and Workers in American Politics* (Columbia Univ. Studies in History, Economics, and Public Law, No. 253, New York, 1924). See also Rice, (ed.), *Statistics in Social Studies* (Univ. of Penna. Press, Philadelphia, 1930); *ibid.*, *Quantitative Methods in Politics* (New York, 1928).

[10] Hornell Hart, "Changing Social Attitudes and Interests," in *Recent Social Trends in the United States* (New York, McGraw-Hill, 1933), Vol. 1, pp. 382ff, 435.

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split votes. Hart sampled attitude indicators of various social institutions in a group of American publications. He determined the number of indicators, favorable and unfavorable, for each period sampled. Using these totals as 1000 for each year, respectively, he secured expressions of relative frequency of attitude indicators favorable or unfavorable. It is obvious that two categories of measurement of intensity of attitude do not give a very accurate measure of trends.

The rank-order method, in which judges arrange the attitude indicators in rank order of intensity of attitude, is superior to the above methods in that the judgment of any one indicator is made relative to judgments of the other indicators. Bogardus[11] was one of the first to use the method for attitude measurement in the development of his "social distance" test. Allport and Hartman[12] had subjects write personal views upon various phases of concrete issues of current political interest. Judges then arranged the stated views on each issue on a scale, and the average rank assigned to each view was taken as its position on a scale. Subjects then checked the statement regarding each issue which corresponded most closely to his view. As the method of rank order is commonly used, it is assumed, on arbitrary grounds, that the rank differences of the first order are units of measurement.

Thurstone[13] has refined the measurement of attitude by application of the psychophysical methods of paired comparisons and equal appearing intervals. He has also shown how rank-order data

[11] E. S. Bogardus, "Social Distance and its Origins," *Journal of Applied Sociology* Vol. 9, pp. 216–226.

[12] F. H. Allport and D. A. Hartman, "The Measurement and Motivation of Atypical Opinion in a Certain Group," in this REVIEW, Vol. 18, pp. 735–760.

[13] L. L. Thurstone, "The Method of Paired Comparisons for Social Values," *Journal of Abnormal and Social Psychology*, Vol. 21, pp. 384–400; "Attitudes Can be Measured," *American Journal of Sociology*, Vol. 33, pp. 529–554; "An Experimental Study of Nationality Preferences," *Journal of General Psychology*, Vol. 1, pp. 405–425; "Theory of Attitude Measurement," *Psychological Review*, Vol. 36, pp. 222–241; "The Measurement of Social Attitudes," *Journal of Abnormal and Social Psychology*, Vol. 26, pp. 249–269; "Rank Order as a Psychophysical Method," *Journal of Experimental Psychology*, Vol. 14, pp. 187–201. See also S. A. Stouffer, "Experimental Comparison of a Statistical and a Case History Technique of Attitude Research," *American Sociological Society Publications*, Vol. 25, pp. 154–156; D. D. Droba, "Methods for Measuring Attitudes," *Psychological Bulletin*, Vol. 29, pp. 309–323; L. L. Thurstone and E. J. Chave, *The Measurement of Attitudes* (Chicago, 1930); G. and L. B. Murphy, *Experimental Social Psychology* (New York, 1931), Chap. 11.

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may be treated psychophysically so that the results are comparable with those secured by the method of paired comparisons. By means of Thurstone's technique, it is possible to allocate attitude indicators along a single affective continuum, or linear scale of attitude, and to measure degrees of difference in intensity of attitude by separations on this scale. The unit of measurement is the discriminal dispersion, or standard deviation, of the distributions of the statements, as assigned by a large number of judges, along the continuum. It is assumed that the statements are sufficiently homogeneous so that their respective discriminal dispersions are comparable.

In the method of paired comparisons, the judges decide which of each possible pair of indicators is the more favorable, pro, etc. It is assumed that two indicators are different by a quantity determined by the per cent of judges who can perceive the difference. A scale is then constructed so that equal intervals on the scale represent equally often noticed shifts in attitude or equal appearing attitude differences. The method of paired comparisons is the most accurate, but it requires much labor, not only in making the judgments, but in the statistical analyses of the data when there are many attitude statements.

A simple procedure is to use the method of equal appearing intervals. The judges assign the indicators to intervals on a continuum representing intensity of attitude, so that the scale distance between the midpoints of any two adjacent intervals equals subjectively the scale distance between the midpoints of any other two adjacent intervals.

V

In the present study, the method of equal appearing intervals was used. One source of attitude for Japan and two for China were employed:

(A) Japanese. 1. The *Osaka Mainichi*, a daily published by the same organization that publishes the *Tokyo Nichi Nichi*. These newspapers have the greatest circulation of any in Japan, and exert great influence. The English version of the newspaper was used.

(B) Chinese. 1. The *China Critic*, a weekly magazine written in English and published in Shanghai. This journal is operated by a group of Chinese nationals, and is devoted to all phases of Chinese life. 2. Summaries of leading articles in the Chinese press, translated

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into English and published fortnightly by the Royal Institute of International Affairs of London. These contain abstracts from many Chinese journals on important topics of the day.

These journals were chosen primarily because of their availability, and because they are published in English. The period covered was January, 1930, through December, 1932.

Statements representing attitudes toward any phase of the national life of China were taken from the *Osaka Mainichi*, and statements expressing affect toward Japan were taken from the Chinese papers. The sampling program which seemed adequate called for one attitude statement for every editorial appearing in the journals. Of course, many editorials did not contain statements expressing attitude; but for the three-year period, a total of 1,271 attitude statements were selected, an average of 14.6 each month from the Japanese paper and of 20.7 each month from the Chinese sources. An effort was made in the case of a given editorial to take the attitude statement which epitomized the general attitude of the editorial. The statements were distorted in no essential respect. Samples of the attitude statements selected are appended (pp. 574–575 below).

The cards bearing the statements were coded so as to be identifiable as to date and source. The two sets of cards, one of statements referring to China, the other of statements referring to Japan, were shuffled thoroughly and given to a competent judge, apparently free from prejudice, with instructions to allocate the cards to eleven piles representing equal-appearing intervals of intensity of attitude. The judgments were made on the basis of the intensity of attitude, anti or pro, toward the country China, or toward the country Japan. Statements representing the most anti attitude were allocated to pile 1 and those representing the most pro attitude were assigned to pile 11. Thus, pile 6 contained neutral statements. To insure accurate judging, the cards were first sorted into three piles, pro, neutral, and anti, and then the pro and anti statements were each sorted into five piles. Each set of cards was sorted by three judges. It should be understood that the statements were allocated along a continuum representing intensity of attitude, and that the scale distance between the midpoints of any adjacent piles A and B equalled subjectively the scale distance between the midpoints of any other adjacent piles X and Y.

For each set of cards and each judge the mean intensity of atti-

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tude for each month was determined. The values were calculated directly in terms of the scale as described, so that the point range of values was 1 to 11. For example, if the mean intensity value for a given set of cards and a given judge was 2.1, the intensity expressed was slightly more pro than that expressed by the mean value of pile 2. The mean intensities found were averaged for the three judges. Appendix B contains the data. The number of attitude indicators upon which the mean intensity values are based gives some indication of the reliability of the mean values. The statements for the year 1930 were too few to give monthly indices; hence, for this period, the statements were grouped by quarters of the year.

It was demonstrated in the study of attitudes of certain American papers toward France and Germany[14] that the correspondence of results secured by independent samplings of statements was very high. A check of reliability of sampling is not made here because the two studies were carried out under similar conditions.

The reliability of judging indicators is very high. In extremely few cases did the judges disagree by more than one unit of the scale. Obviously, the significance to be attached to an average becomes less as the standard deviation of the average increases. The standard deviations of the averages of the two trend lines in figure 5 are indicated in figures 6 and 7. It will be observed that the standard deviation tends to become greater as the average approaches the neutral point. At a few points near the neutral position, the average is based on statements some of which fell at almost every point of the scale. If the standard deviation is over two units of the scale, which occurred only once in figure 6 and twice in figure 7, the significance of the average may be open to question.

APPENDIX A

Examples of attitude indicators taken from the editorials of the journals are given below. The number preceding each statement is the measure of intensity of attitude which it expresses; that is, 1 indicates the most hostile statements, 6 indicates neutral statements, and 11 indicates the most favorable statements. No quotations were found which were judged to be more favorable than 9 on the scale.

From the *China Critic et al:*

1. "Japan is destroying not only civilization but human faith for her own selfish designs. She is an enemy to mankind."

[14] James T. Russell, "Measurement of Trends in International Attitude" (to be submitted to the *Journal of Social Psychology.*

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1. "Japan's acts are brutal acts below the level of humanity."
2. "Our history and culture are infinitely superior to Japan's."
2. "The boycott itself, which the Chinese have been compelled to resort to as a protest against the massacres by the Japanese of the Chinese emigrants in Korea and the Japanese occupation of Manchuria, has been a natural sequel to the Japanese crimes and atrocities."
3. "The Japanese are a wily race, and if they felt that any matter was not going to turn out to their advantage, they would find good reasons for not allowing it to go to arbitration."
4. "Evidently the Japanese have failed to live up to their promise of giving peace and order to Manchuria."
5. "We see that despite the loud talk by the Japanese of colonization of Manchuria for the last 25 years, the increase in the total Japanese population there during this long period was less than 90,000."
8. "The extraordinary progress of Japan during the past 70 years has been considerably due to her ability thoroughly to understand foreign systems and to assimilate and modify them for the purpose of her own special requirements."
8. "Our countrymen cannot as yet compete successfully with the Japanese in industrial pursuits, since they are neither as competent and resourceful nor in possession of the experience and the sense of artistry that the Japanese have certainly acquired."

From the *Osaka Mainichi:*

1. "China—the hotbed of epidemics, beggars, thieves, and bandits."
2. "Far more crafty than the Japanese in strategy, the Chinese pretend dove-like innocence and harmlessness on the surface, while behind the curtain they are busily hatching intrigues to drive Japan into a position of irretrievable disadvantage."
3. "It is up to the Chinese to come to their senses and hasten the redemption of the blunders they have committed.
4. "Japan proposes to keep up the work she has started in Manchuria regardless of petty Chinese opposition due to misunderstanding of the Japanese motives."
5. "Manchuria may belong to China, but the peace and prosperity we planted there belong to us."
6. "China and Japan are ordained to either coöperate or compete. There is only one way toward mutual gain."
7. "Let the nations once more agree to pledge themselves to help the Chinese banish war and to regain peace and prosperity. To do so is not merely to save teeming millions of Chinese from starvation, but to promote their own trade and commerce in the Far East."
8. "Our government and people have profound sympathy for, and understanding of, the just and proper aspirations of the Chinese people."
9. "China is a nation with vast territory and enormous population—it is a great nation with an old and brilliant culture."

APPENDIX B

Intensity of attitude of the *Osaka Mainichi* toward China and of the *China Critic* and other Chinese publications toward Japan for the period January, 1930, through December, 1932. M is mean intensity of attitude;

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N is the number of attitude statements; σ is the standard deviation of the mean.

Year	Month or Quarter	*Osaka Mainichi* M	σ	N	*China Critic et al.* M	σ	N
1930	1st Quarter	4.18	.69	11	3.83	.82	6
	2nd Quarter	4.71	1.80	14	4.71	2.02	7
	3rd Quarter	3.26	1.02	19	4.88	1.51	8
	4th Quarter	4.37	1.21	27	4.87	1.92	15
1931	January	6.08	2.87	27	4.79	1.25	8
	February	4.33	1.35	12	5.48	1.53	11
	March	4.69	.79	13	4.47	.52	12
	April	3.70	1.02	9	4.03	.88	12
	May	4.13	.60	8	4.59	3.09	11
	June	3.34	.91	17	3.93	.81	13
	July	4.03	.71	10	3.55	1.02	39
	August	3.84	1.17	12	3.51	1.19	17
	September	3.43	1.22	37	3.23	1.10	55
	October	2.79	.64	36	2.95	1.11	98
	November	2.75	.73	49	2.60	.77	59
	December	3.21	.59	25	2.37	.70	42
1932	January	3.13	.61	23	2.40	.76	15
	February	3.15	.82	27	2.38	1.01	42
	March	3.18	.93	17	2.73	1.00	51
	April	3.50	.68	10	2.62	1.48	29
	May	3.95	1.31	19	3.35	1.12	40
	June	5.08	1.22	13	3.29	1.01	24
	July	4.50	1.07	19	3.26	1.29	19
	August	4.19	1.00	15	3.33	1.02	27
	September	4.05	.93	20	3.56	1.13	35
	October	4.70	1.62	14	3.37	1.27	20
	November	3.87	.59	12	3.27	1.20	22
	December	4.64	1.04	11	2.68	1.31	8
	Total			526			745
	Average			14.6			20.7

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STATE CONSTITUTIONAL LAW IN 1932–33*

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One of the best known members of the bench in the United States raised the query whether constitutional law was not becoming so textual and so formal in its applications that it was losing touch with the realities of life. For the operations of government to be "cabined and confined" under ordinary circumstances raises difficulties not readily surmounted; but in times of unusual stress, either constitutional limitations unduly restrict urgent and necessary action or they must be ignored to permit emergency measures. A resumé of the decisions of state and federal courts affecting state constitutions for the year 1932–33 indicates the tendency both toward undue formality in interpretation and toward the warping of the constitutional mold to sanction ways and means of dealing with extraordinary conditions. Law, like life, is a matter of growth, and, as Lord Bryce long since observed, under written constitutions ways of growth must be found either within or without the provisions of fundamental laws.[1]

I. SEPARATION AND DELEGATION OF POWERS[2]

In the application of the primary constitutional principle of the separation of governmental powers and the correlative requirement of non-delegation of powers, the courts are apparently quite zealous in protecting their own rights and in avoiding duties which may involve connections with other departments.

An attempt to expedite judicial business by requiring that all applications for certiorari not acted upon within 90 days were to be considered granted, and placed for argument on the supreme court's docket, was held void as an interference with judicial powers. Though the language of the state constitution would seem to warrant a procedural regulation of this type, the judges declined to permit such a legislative interference with judicial business.[3] Because of the inherent independence of the judiciary from the legislative branch of government, the salaries of judges may not be decreased by the legislature during a judge's term by a reorganization of a judicial district, although no express constitutional provision prohibits such decrease.[4] The refusal of judges, with only a few exceptions,

* To be concluded in the October issue.

[1] Norman Hinton, research assistant in political science, rendered invaluable aid in selecting and classifying the cases relating to constitutional law during the year. The cases considered in this article, with only a few exceptions, were decided by the courts from April, 1932, to April, 1933.

[2] See this REVIEW, Vol. 26, p. 660.

[3] Holliman v. State, 165 S.E. 11 (Ga., July, 1932).

[4] Bailey v. Waters, 162 A. 819 (Pa., June, 1932).

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to join in the carrying out of plans for voluntary salary reductions in a number of instances has led to the introduction of constitutional amendments to remove the restrictions relating to the salaries of the judges.

An old age pension law included the provisos that persons entitled to allowances were to be determined by the county judge, that the amounts to be paid were to be fixed by the judge, with the approval of the county commissioners, and that the payments were to be made by the county treasurer on the order of the judge with the approval of the commissioners. This legislative project was invalidated with the observation: "No legislation ever presented a clearer case of the conferring of judicial duties on non-judicial officers."[5] On the other hand, the attempt to authorize the circuit court to determine whether a drainage district will be for the advantage of property owners, and in the interest of the public health, convenience, or welfare met with approval. The majority of the court was convinced that legislative powers had not thereby been conferred on the judiciary.[6]

A group of cases resulted in failure to give effect to laws because it was thought that the judges were called upon to exercise executive or administrative powers. Thus an act authorizing the circuit court to review the orders of the state water commission relating to the pollution of streams was held void as a delegation of executive powers. According to the procedure devised, the hearings before the commission involved the determination (1) whether there was a statutory pollution of a stream; (2) whether there was proper sewage treatment or a suitable system of filtration. The court regarded the first inquiry as quasi-judicial, and hence an appropriate subject for judicial review, and the second as executive or administrative, and as such not appropriate for such review. Since the court, by the act, must pass on both questions, and may be required to exercise discretion, it was deemed to involve the exercise of executive power. "Whenever," said the court, "a subject is committed to the discretion of the legislative or executive department, the lawful exercise of that discretion cannot be controlled by the judiciary." This is the type of dictum which is supposed to resolve controversies, but really slurs over the pertinent issues. It is well known that the exercise of legislative and executive discretion are constantly subjected to judicial review and annulment. If the exercise of discretion is "lawful," it will not be controlled. But who determines whether the discretion was "lawfully" exercised?[7]

[5] City and County of Denver v. Lynch, 18 P. (2d) 907 (Colo., Dec., 1932).

[6] Burnett v. Greene, 144 So. 205 (Fla., Aug., 1932). But two judges believed that the creation of a district was a legislative question and not within the judicial cognizance, and that the theory of the separation of powers was violated by granting discretion to the court as to the advisability of the creation of a district.

[7] Danielley v. City of Princeton, 167 S.E. 620 (W. Va., Jan., 1933).

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The old question raised in the first Congress and discussed fully in connection with the decision of the Supreme Court of the United States in Myers v. United States,[8] whether the executive, under the usual phraseology of our written constitutions, has an implied removal power, was presented to the supreme court of Oklahoma. Despite the provision in the act creating the state highway commission conferring on the courts the authority to remove a member, Governor Murray removed one of the commissioners. Under state law, the governor is accorded a general power "to remove any officers appointed by him, in case of incompetency, neglect of duty, or malfeasance in office, and may then fill the same as provided in cases of vacancy." It was conceded that this general rule could be changed by special statutes. But in the face of such an attempted change, the governor, relying on the reasoning of the Myers case, insisted that his removal power could not be so limited.

The court, disapproving the governor's contentions, pointed to the essential difference between the federal and state systems of government, the federal government being obliged to look for grants of power and the state governments for limitations. There being no express power limiting the legislature with respect to removals in such cases, the determination of the method of removal rightfully belonged to the legislature. Therefore legislative restrictions upon the power of the governor to remove officers are valid when applied to a statutory office. Criticizing much of the reasoning in support of the governor's position, the court maintained that "the Hamiltonian idea of a centralized form of government by a concentration of all executive authority in one office was not the policy adopted by the people and expressed in the constitution of Oklahoma."[9]

Another statute empowered the city to condemn the property of public utilities and provided for a board of appraisers, called a "court of condemnation." Appraisers were to be chosen by the justices of the supreme court from the district judges. This arrangement was considered not to violate the separation-of-power principle, though Justice Rose objected to the proceedings as an attempt to increase the original jurisdiction of the supreme court.[10]

When the legislature of Kansas, by an act applicable only to Kansas City, gave broad legislative and administrative powers to a board of police commissioners, the courts interposed with a veto. The board was authorized to employ a permanent police force for the city and to equip and arm the force as might be considered necessary. Blanket authority

[8] 272 U.S. 52 (1926).

[9] Wentz v. Thomas, 15 P. (2d) 65 (Sept., 1932).

[10] City of Mitchell v. Western Public Service Co., 246 N.W. 484 (Neb., Jan., 1933).

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was given to appoint a traffic squad, to determine the number and grades of policemen, and to fix salaries.

The main objection, according to the court, lay in the authority to prepare a budget; this was held equivalent to the delegation of the power to tax. Said the court, this act confers upon the commissioners "an unlimited authority and an uncontrolled discretion with respect to appointing, organizing, arming, and equipping a permanent police force." The police of a city, it was claimed, are a part of the government of the state, and estimates and expenditures must therefore be subject to "legislative supervision and review."[11]

But certain judges, following the practice of the federal courts in interpreting the separation-of-power principle liberally in favor of a rather free distribution of the powers of government, do not look with disfavor upon grants of power which seemingly violate this principle. So when the legislature authorized the commissioners of a sewerage district to levy a direct annual tax on all property in the district for specified purposes, this was held not to be a delegation of a legislative function to an administrative body. The reasoning by which such a practical decision was arrived at, however, appears unduly attenuated, when the court asserts that the tax is actually levied by the legislature, the ministerial function only of fixing the amount and collecting the tax being placed upon the commission.[12]

Evidence of a new attitude which is manifested in some judicial reasoning is apparent in the approval by the Oklahoma supreme court of gas proration orders by the corporation commission. "The legislature, recognizing the difficulties and the need of administrative action," observed the court, "left it to the corporation commission to work out the details and administer the remedy of proration." As the agents selected and empowered to investigate details and to apply the policy of proration, the commission was expected to administer the remedy subject to appeal in controverted cases to this court. "But in practical operation we cannot take the place of the corporation commission and administer the law. Its details must be worked out by the administrative board, as what was good in proration yesterday is not good today."[13] More legal pragmatism of this

[11] State v. Smith, 49 S.W. (2d) 74 (Mar., 1932). See dissent of Justices Frank and Atwood, who did not discover any unreasonable delegation of authority in the act; also, State v. Mason, 153 Mo. 23 (1899), for argument in support of opposite doctrine.

[12] Golden v. Green Bay Metropolitan Sewerage Dist. 246 N.W. 505 (Mich., Jan., 1933). With a similar attitude of leniency, a public domain range act to prescribe reasonable police regulations in segregating cattle from sheep was upheld. Allen v. Bailey, 14 P. (2d) 1087 (Colo., Sept., 1932).

[13] Oklahoma Natural Gas Corporation v. State, 17 P. (2d) 488 (June and Dec., 1932); see also Russell v. Walker, 15 P. (2d) 114 (Oct., 1932), which calls attention

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kind would obviate some of the long trial and error experiments which are necessary to work out a practical method for the legal regulation of different phases of industrial relations.

II. PROTECTION OF CIVIL AND POLITICAL RIGHTS

The Oklahoma supreme court gave impetus to the movement to check mob domination of trials in state courts by holding a judgment void and requiring a new trial when a negro charged with a capital offense was hastily dealt with, without being informed of the right to have counsel, or to waive examination. With mobs in formation to lynch the defendant, the judge feared delay and thought that on a plea of guilty it was not necessary to appoint counsel. But, in the opinion of the court, the constitutional rights of jury trial, change of venue, to have copy of information, and to have counsel may be waived, though such waiver must be voluntary.[14]

A negro cannot demand a jury composed of part of his own race, but he can demand a jury from which his race was not excluded. Hence evidence of a long unbroken absence of negroes from juries was regarded as establishing the practice of confining selection of jurors to white men and excluding negroes from those summoned for panel. In a negro's trial, such practice was held a violation of the federal Constitution. In commenting on his selection of jurors, the judge said he did not exclude negroes, but merely did not consider them at all.[15]

The recent decisions of the Supreme Court of the United States condemning action sanctioned by state law designed to exclude negroes from participation in primary elections do not seem to have disposed of the issue.[16] In passing a resolution depriving a negro of the right to vote at primary elections, the state convention of the Democratic party of Texas was held an agency of the state, and hence the resolution was held invalid. Instead of action by the executive committee, it was taken by the state convention of the party. "I see no escape from the conclusion," said District Judge Kennerly, "that the powers exercised by the convention in passing such resolution were derived from the state of Texas." Recogniz-

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to the fact that by the constitution the corporation commission is vested with legislative, executive, and judicial authority. For other cases dealing with the separation and delegation of powers, see Ashland Transfer Co. v. State Tax Commission, *infra*, note 75; ex parte Weisberg, *infra*, note 45.

[14] Ex parte Hollins, 14 P. (2d) 243 (Sept., 1932).

[15] Lee v. State, 161 A. 284 (Md., July, 1932).

[16] See Nixon v. Herndon, 273 U.S. 536 (1927), and Nixon v. Condon, 286 U.S. 73 (1932), deciding by a 5 to 4 vote that the authority to exclude negroes from the vote cannot be delegated to the executive committee of the party. Consult also "The White Primary in Texas since Nixon v. Condon," *Harvard Law Rev.*, Vol. 46 p. 812 (March, 1933).

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ing to an extent the futility of judicial remedies to meet the situation, it was stated that a federal court cannot issue a mandamus to compel a state agency to permit qualified negroes to vote at primary elections.[17]

About the same time that the federal court was rendering this decision, the court of civil appeals of San Antonio was holding that the Democratic party in Texas is a voluntary political association and as such may determine who is eligible for membership in the association. Such an association assembled in convention is empowered to determine who can participate in primary elections, and therefore a resolution excluding negroes was declared valid. The opinion recognizes a distinction between the act of the state executive committee as condemned by the majority of the court in Nixon v. Condon and the act of a state convention. The convention, it is claimed, "followed the majority opinion to the letter, and this court follows it in the same manner."[18] Later, District Judge Kennerly held that the executive committee of the Democratic party of the city of Houston, in prescribing qualifications of members for a primary election, was not an agency of the state, and that therefore exclusion of negroes did not constitute unlawful discrimination.[19]

In a rather strange type of case, the inability of a party to procure testimony from an unbeliever was held not to be a denial of the equal protection of the laws. The defendant in a trial under an indictment for advocating the subversion of the government of the United States was denied his request to be affirmed as a witness, and five of his witnesses did not testify. All refused to take an oath, stating that they believed neither in God, nor in any god, nor in the Bible, and because they had no religious belief they were conscientiously opposed to taking an oath.

Many states have statutes making witnesses competent to testify if they do not believe in God, since, the court observes, under the common law no person could be a witness in a judicial proceeding unless he believed that there was a God and that God would punish him if he swore falsely. In the absence of such a statute in New Jersey, the ruling that the five witnesses could not testify was approved, as was also the acceptance of the testimony offered by the defendant, though he refused to subscribe to the oath.[20]

The right of peaceable assembly, which seems to be accorded scant respect in many communities, is not wholly ignored. A Louisiana act for-

[17] White v. County Democratic Executive Committee, 60 F. (2d) 973 (July, 1932).

[18] County Democratic Executive Committee v. Booker, 53 S.W. (2d) 123 (July, 1932). Judge Cobb dissented, claiming the opinion was not in accord with the decisions of the Supreme Court of the United States.

[19] Drake v. Executive Committee of Democratic Party, 2 F. Supp. 486 (Jan., 1933).

[20] State v. Levine, 162 A. 909 (Nov., 1932).

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bidding unlawful assemblies for unlawful purposes was held void because it left the decision of whether peaceable assembly is lawful or unlawful to the police. The determination of this matter was declared to be a judicial function.[21]

Some state judges seem not to have discovered the assumption of Justice Sanford in Gitlow v. New York[22] that "freedom of speech and of the press—which are protected by the First Amendment from abridgment by Congress—are among the fundamental personal rights and liberties protected by the due process clause of the Fourteenth Amendment from impairment by the states." In applying the terms of the Ohio criminal syndicalism law, the state supreme court followed its own decisions to the effect that the first ten amendments to the Constitution of the United States were designed exclusively as restrictions upon the federal government.[23] The criminal syndicalism statutes, observes the court, were designed to punish those of communistic habits of thought who prefer force to reason, and, in their opinion, "even industrial reform is a proper subject-matter for the protection of the people of the state."

Because the charges against the defendant involved no acts done and merely words spoken, to two people—one being a government official—the dissenting judges did not consider the facts sufficient to constitute a felony, and Justice Allen regarded the state law invalid according to the doctrine of Schenck v. United States.[24] Under the statute, he claimed, one would be guilty of felony if he justified the acts of Washington, Franklin, and Jefferson. Despite the disclaimer in the majority opinion, he believed, the act does seek to punish "academic and harmless discussion of the advantages of political and industrial reform."[25]

According to the general rule applied by the courts, the driver of an automobile owes an invited guest the duty of exercising ordinary care in its operation, and for negligence in such operation the guest may be awarded damages. This rule has been changed in certain states by a provision that no person transported by the owner or operator of an automobile, as his guest and without payment for such transportation, shall have a cause of action for damages. A number of such statutes have been held valid.[26] But with a provision in the constitution changing the common law

[21] State v. Bulot, 142 So. 787 (May, 1932). But under an act penalizing printing or circulating writings to incite insurrection or resistance to the authority of the state, an indictment for circulating literature of the Communist party was sustained. Carr. v. State, 166 S.E. 827 (Ga., Nov., 1932).

[22] 268 U.S. 652, 666 (1923). See Charles Warren, "The New 'Liberty' under the Fourteenth Amendment," *Harvard Law Rev.*, Vol. 39, p. 431 (Feb., 1926).

[23] Burke v. State, 135 N.E. 644 (1922). [24] 249 U.S. 47 (1919).

[25] State v. Kassay, 184 N.E. 521 (Dec., 1932).

[26] Silver v. Silver, 143 A. 240 (1928), affirmed in 280 U.S. 117 (1929) and Naudzius v. Lahr, 234 N.W. 581 (1931).

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rule as to the recovery of damages in case of death, such a law was declared void. The legislature could not deny recovery for damages in such a case.[27]

The rule that where the principal and interest of bonds constitute a charge upon the general revenue of a city or county, such a charge operates only upon surplus revenues after paying necessary operating and governmental expenses was held inapplicable to the Everglades improvement district of Florida. The district was regarded, not as one for general governmental purposes, but as for special governmental purposes. Hence the acreage tax levy imposed by the act under which drainage district bonds were issued was held part of the bond contract, and as such not subject to impairment by subsequent legislative acts reducing taxes or diverting the proceeds to other purposes. Though provision was made in the act for the issuance of the bonds for the payment of the expenses of the board, and it was thought necessary to provide for increasing maintenance expenses, the court decided that acreage taxes must first be used to pay the interest and sinking fund of the bonds, since an impairment of contract occurs when the contract has been diminished by subsequent legislation. Pertinent sections of the act of 1929 were held void in so far as they interfered with the fulfilment of contracts already made.[28]

The application of the requirement of just compensation in the condemnation of property by eminent domain proceedings received a somewhat meticulous interpretation by the supreme court of North Dakota. A provision in an act relating to the ascertainment of damages to an owner of property taken for highway purposes was declared void as permitting private property to be taken in advance of judicial determination and payment of just compensation. Constitutional requirements were not met, thought the court, by the determination of the amount to be paid and its payment by an administrative officer. A preliminary estimate only can be made by an administrative board. The question being regarded as judicial in character, the legislature may not confer such authority on any body except a court.[29]

Though ordinarily the courts will decline to approve a retrospective application of a law if vested or acquired rights are prejudicially affected, such an interpretation is subject to modification under unusual conditions. Thus a retrospective construction of an amendment to a statute regulating

[27] Ludwig v. Johnson, 49 S.W. (2d) 347 (Ky., April, 1932). For comments on the interpretation of the Iowa guest statute, see *Iowa Law Rev.*, Vol. 18, p. 358 (March, 1933).

[28] Rorick v. Board of Com'r's. of Everglades Drainage Dist. 57 F. (2d) 104 (April, 1932).

[29] Becker County Sand & Gravel Co. v. Woswick, 245 N.W. 454 (Sept., 1932). Since the North Dakota constitutional provision was modelled after that of California, California cases were cited to sustain the court's reasoning. See Weber v.

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withdrawals from building and loan associations was declared valid with the observation that "the court will take judicial notice of the stress of the financial situation at the time the amendment of 1932 was acted upon."[30]

III. DUE PROCESS OF LAW AND EQUAL PROTECTION OF THE LAWS

1. *Liberty of Contract.* The somewhat dubious, and at times almost discarded, doctrine of the liberty of contract seems to have acquired a new lease of life. When a municipal corporation by ordinance tried to protect householders from the petty and unnecessary annoyance of solicitors by making it a nuisance to call on occupants of private residences to solicit orders for the sale of goods, federal justices appeared to be alarmed lest the inalienable rights of the individual be unduly restricted.

District Judge Kennerly, citing the dictum of Justice Field in Barbier v. Connolly[31]—which is commonly regarded as the basic formulation for the "liberty of contract" dogma and the broad implications of the doctrine as charted by Justice McReynolds in Meyer v. Nebraska[32]—held the ordinance an arbitrary exercise of the police power. "It must be admitted," said he, "that the things in the ordinance declared to be a nuisance have not been so regarded in the ordinary experience of the human race." And apparently subscribing to the principle that what has not been done legally cannot be done, he indicates the assumption on which both the reasoning and judgment are based, namely, that "the matter of who comes to one's house is largely one to be regulated by the occupant and not by the city fathers."[33] Consequently, if a householder does not manifest externally his wish to remain unmolested, a salesman may take custom and usage as implying a consent to enter his premises.

Though the Supreme Court of the United States declared some years ago that no valid law can be passed which denies an employment agency and a citizen the right to make a contract for such fee as they may see fit,[34] legislatures continue the attempt to limit the fees which employment

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Board of Supervisors of Santa Clara Co., 59 Cal. 265 (1881), and for modification of the California rule, East Bay Mun. Utility Dist. v. Railroad Comm. 229 P. 949 (1924). For similar reasoning, cf. United States v. McIntosh, 2 F. Supp. 244 (Dec., 1932), holding that the ascertainment of just compensation for property taken by the government for war purposes remains a judicial question.

[30] Fornataro v. Atlantic Coast Building and Loan Ass'n., 163 A. 240 (N.J., Nov., 1932).

[31] 113 U.S. 27, 31 (1885).

[32] 262 U.S. 390, 399 (1923).

[33] Fuller Brush Co. v. Town of Green River, 60 F. (2d) 613 (July, 1932). Cf. note, *Mich. Law Rev.*, Vol. 31, p. 539 (Feb. 1933). As applied to a Massachusetts resident, a New Hampshire hawkers' and peddlers' act, exempting citizens over 70 years of age from paying license fees, was held to violate due process of law and to interfere with the privileges and immunities of citizens. Ratta v. Healy, 1 F. Supp. 669 (Nov. 1932).

[34] Ribnik v. McBride, 277 U.S. 350, (1928).

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agencies may charge. The provision of an act regulating the agencies which fixed a maximum charge of two dollars for procuring employment for teachers was held void. Giving its approval to other parts of the act, and in particular to the granting of authority to inspectors of the labor commission to inspect the records of employment agencies, the court observed: "Every indication is that the act is full of good purposes 'sans price fixing'."[35]

Asserting again that employment agencies are subject to regulation, but that such regulation does not extend to price fixing, the provision of a New York law making the charge of employment agencies contingent upon success in obtaining employment was approved. The fact that these are border-line cases was suggested in the opinion of Judge Hand. "The powerful dissents in Adams v. Tanner,[36] Tyson v. Banton,[37] and Ribnik v. McBride,[38] and the narrow margin by which the views of the majority prevailed, warn us that the doctrines of those cases are not likely to extend beyond the precise facts presented." In his opinion, the provision involved only reasonable regulation, for to require success in securing employment for an applicant not only prevents much fraud and oppression, but benefits a class both needy and very numerous.[39]

Following the customary method of attack under the guise of the protection of the liberty to contract, an attempt was made to invalidate a North Dakota statute directed at some of the evils of "ambulance chasing." According to this law, every settlement of any cause of action and every contract of retainer to prosecute an action for damages on account of personal injuries shall be voidable if made while the person so injured is under disability from the effect of the injuries, or if made within thirty days after the date of such injury. Under the act, settlement of claims might be made at any time; but such settlement was not to be deemed a bar to prosecution. As the statute had been in force for fifteen years, and its validity had been questioned in only one case, the court believed that the restrictions on the right to contract could not be serious, and that the regulation had a justifiable basis.[40]

Support of the right to contract as an inalienable right was assumed also when the Minnesota courts refused an injunction sought by the Standard Oil Company to prevent the breaking of the terms of a contract

[35] Karr v. State, 54 S.W. (2d) 92 (Tex., Oct., 1932), and Karr v. Baldwin, 57 F. (2d) 253 (Mar., 1932).

[36] 244 U.S. 590 (1917).

[37] 273 U.S. 418 (1927).

[38] 277 U.S. 350 (1928).

[39] National Employment Exchange v. Geraghty, 60 F. (2d) 918 (July, 1932). Cf. note, *Harvard Law Rev.*, Vol. 46, p. 328 (Dec., 1932).

[40] Peterson v. Panovitz, 243 N.W. 798 (July, 1932). See McCloskey v. San Antonio Public Service Co., 51 S.W. (2d) 1088 (Tex., June, 1932) holding "ambulance chaser" and "adjuster" violated barratry statute, and sustaining the issuance of an injunction. Cf. *Harvard Law Rev.*, Vol. 46, p. 525 (Jan., 1933).

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of employment. As a part of the agreement entered into, the employee promised that he would not, within one year from the termination of his employment, sell similar products furnished by others than the plaintiff within the territory covered by the contract. Because a man's labor is a valuable right, and should not be taken away or limited in a clear case, the request for the issuance of an injunction was refused. In a rather unusual sense, the doctrine of liberty of contract, announced generally as a protection for the sacred rights of labor, was here interpreted to the advantage of the employee.[41]

Liberty of contract, with its implications as to the right to pursue a calling, has for years prevented effective regulation of admission to the bar in certain states, as well as the regulation of admission to other callings and professions. So it is not surprising to find judicial disapproval of an act requiring a certificate and license by a board of accountancy as a condition to practice public accounting invalidated as an arbitrary restriction on the right of private contract. Certification of accountants, thought the court, may be valid if it does not prohibit the practice of accounting by one who did not secure a certificate.[42]

2. *Equal Protection of the Laws.* Applying the standards presumed to be involved in the phrase "equal protection of the laws" leads to marked differences of opinion both among individual judges and among the several courts. Using the dicta in some well known decisions,[43] the majority of the supreme court of Illinois declared void, as denying the equal protection of the laws, an act permitting honorably discharged soldiers and sailors to peddle goods without a license. It was insisted that neither in tax laws nor in police regulations can the fact of prior completed military service be made the basis of discrimination between citizens. But three justices were just as insistent that ex-soldiers may be treated as a class for the granting of special privileges and exemptions.[44]

Under the police power, a state act regulating the business of cleaners and dyers was held valid as a justifiable protection of life and property. Registration and licensing provisions, with exemptions for stores, hotels, and similar establishments not engaged in business for compensatory gain, were regarded as valid, though a provision requiring the posting of a bond

[41] Standard Oil Co. v. Bertelson, 243 N.W. 701 (July, 1932). For a somewhat different result, see People's Cleaning & Dyeing Co. v. Share, 210 N.W. 397 (1926).

[42] Campbell v. McIntyre, 52 S.W. (2d) 162 (Tenn., July, 1932). Federal decisions were chiefly cited to sustain the decision, and in particular New State Ice Co. v. Liebmann, 285 U.S. 262 (1932). For a summary of decisions in similar cases, see *Minn. Law Rev.*, Vol. 17, p. 325 (Feb., 1933).

[43] Cf. Yicks Wo v. Hopkins, 118 U.S. 356 (1886).

[44] Marallis v. City of Chicago, 182 N.E. 394 (June, 1932). For citation of cases holding with majority or minority, see *Iowa Law Rev.*, Vol. 18, p. 382 (March, 1933).

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for the benefit of any person having dealings with an establishment was held void as arbitrary and discriminatory. The extensive powers conferred upon the fire marshal to determine the persons entitled to pursue, and the conditions upon which they may conduct, their business were not deemed to involve a delegation of legislative or judicial powers to an administrative officer.[45]

When the state of Texas, claiming that the business was affected with a public interest, set about to require pipe line producers to share their market outlets with other producers in the same field, by a proviso that both common and private pipe line carriers should purchase gas without discrimination between producers, the federal courts intervened. Plaintiffs, it was held, are private carriers, and their property is not devoted to a public use; hence an act involving a change in the status of their property is a taking of property for public use without just compensation, and violates the due process of law provision. As the business affected was essentially interstate commerce, the act was also condemned as a burden upon interstate transactions.[46]

There is still some uncertainty as to whether the state may require the payment of the current rate of wages per hour or per day which prevails for like work in the locality. Such a law of the state of Texas, limiting contracts of employment by or on behalf of the state, was held void on the ground of vagueness and uncertainty. The contractors for a group of buildings on the campus of the University of Texas objected to a proposed raise in the scale of wages by the commissioner of labor. Taking issue with the findings of the commissioner, the court held that there was no definite, fixed scale of wages per hour in this vicinity at the time of the inquiry,[47] and that the act violated the equal-protection-of-law phrase, as interpreted by the Supreme Court of the United States.[48]

The failure of the plan for state guarantee of bank deposits led to an important decision of the supreme court of Nebraska. In 1909, the Nebraska depositors' guaranty fund law was passed and met with judicial approval at the same time as the Oklahoma law.[49] The guaranty fund being unable to meet the losses due to emergency conditions, special assessments were levied on the solvent banks from 1928 to 1930. These assessments being to a large extent not collectible, a special session of the

[45] *Ex parte* Weisberg, 12 Pac. (2d) 446 (Calif., June, 1932).

[46] Texoma Natural Gas Co. v. Railroad Comm. of Texas, 59 F. (2d) 750 (June, 1932).

[47] Christy-Dolph v. Gragg, 59 F. (2d) 766 (June, 1932); for similar decision, see Commonwealth v. O'Donnell's Sons, 183 N.E. 839 (Mass., Jan., 1933).

[48] Cf. Connally v. General Construction Co., 269 U.S. 385 (1926). See Ruark v. International Union of Operating Engineers 146 A. 797 (1929) for criticisms of the reasoning in the Connally Case.

[49] Noble State Bank v. Haskell, 219 U.S. 104 (1911).

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legislature in 1930 passed a law providing for a depositors' final settlement fund and for a transfer to this fund of the assets from the old fund. This act provided for a fund to pay partially and *pro rata* the claims of depositors in state banks closed prior to March 18, 1930, by the transferring of the assets of the old guaranty fund and by the levying of a new assessment upon every state bank. The claims of depositors in banks failing after this date were not protected by the fund.

The court regarded the act as an attempt to take money from solvent banks to pay depositors in banks which had failed, and as such to create a fund for a private, and not a public, purpose, and to create an unreasonable classification. It was, therefore, in conflict with the due process and equal protection clauses of the Constitution. Noting the continuous failure of state banks until the number was reduced from more than a thousand to less than five hundred, and the frequency of assessments to maintain the guarantee fund, which became confiscatory, the court declared that "from the condition of the fund itself, instead of a stabilizer of the state banks, it became a menace and a threat."[50]

3. *Validity of Zoning Ordinances.* The general policy and expediency of zoning ordinances are now generally approved by both state and federal courts.[51] In extending the scope of such ordinances, and in their administrative applications, the courts regard constitutional inhibitions as rather frequently exceeded.

A zoning ordinance empowering the board to vary its application in cases of "practical difficulties or unnecessary hardships," was held void as too general and indefinite. If such exceptions are to be made, they must be determined, said the court, in conformity with the restrictions, rules, and limitations which the law itself provides. The citizen and the board must know with certainty what are their rights, privileges, and powers.[52] Other courts have held that the power vested in a board of appeals to vary the application of a zoning ordinance in case of "practical difficulty" or "unnecessary hardship" is a valid exercise of the police power.[53]

[50] Hubbell Bank v. Bryan, 245 N.W. 20 (Nov., 1932). Cf. Abie State Bank v. Bryan, 282 U.S. 765 (1931), supporting the validity of the revised assessment plan of the act of 1930.

[51] See, especially, Euclid v. Ambler, 272 U.S. 365 (1926).

[52] Lewis v. Mayor and City Council of Baltimore, 164 A. 220 (Jan., 1933). The majority of the judges regarded the provision of the ordinance which excluded funeral establishments, other than those already existing, from a residential zone, as valid. See L. R. Wheeler, "Power to Vary the Application of Zoning Ordinances," *Cornell Law Rev.*, Vol. 16, p. 579 (June, 1931).

[53] Cf. Spencer-Sturla Co. v. City of Memphis, 290 S.W. 608, 614 (1927), Sundeen v. Rogers, 141 A. 142 (1928), and cases cited in *Mich. Law Rev.*, Vol. 31, p. 106 (Nov., 1932). But for opinion contra, consult Welton v. Hamilton, 176 N.E. 333 (1931).

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The most frequent objection to the administrative application of zoning ordinances arises in limiting the use of property for business purposes in residence districts. Upon this basis, an ordinance requiring the consent of the majority of property owners according to foot frontage on both sides of the streets surrounding the block, for the erection of a gasoline station, was held void. The court, in passing upon the evidence, thought it did not show that the operation of the station would be injurious to the public health, safety, morals, or general welfare.[54] But the supreme court of Alabama approved a zoning ordinance for the city of Birmingham with a provision excluding filling stations from residential districts.[55] Ordinances were also found objectionable which placed in a residential district property located in an industrial area when it had far less value for residential purposes,[56] and which gave city officials arbitrary power in respect to the erection of school buildings in residential districts.[57] And the courts will not permit too rigid applications of set-back requirements.[58]

The controversial issue whether æsthetic considerations may be regarded as a valid basis for zoning restrictions was passed upon in applying restrictions in an ordinance against the use of property in a residence district as an old ladies' home only with the permission of the zoning board or city council. Declaring such restrictions arbitrary and unreasonable, as an unjustifiable delegation of legislative power, the court said: "Mere æsthetic considerations in themselves have never been held to bear such relationship to public welfare as to sustain restrictions of zoning ordinances. . . . Successive city councils might never agree as to what the public needs from an æsthetic standpoint, and this fact makes the æsthetic standard entirely impractical as a standard for use restriction upon property." It was conceded that the term "police power" was expanding to include general welfare, public convenience, and general prosperity, but the term was thought not to be broad enough to protect the over-sensitiveness of people toward an eleemosynary institution.[59] Though in accord with the usual holdings of the courts in such cases, the reasoning fails to

[54] Koos v. Saunders, 182 N.E. 415 (Ill., June, 1932). See also McGowan v. Gose, 51 S.W. (2d) 251 (Ky., June, 1932), finding unreasonable the requirement to obtain the written consent of two-thirds of the property owners in a block for the erection of a filling station, Standard Oil Co. v. City of Bowling Green, 50 S.W. (2d) 960 (June, 1932), and Smith v. Barrett, 20 P. (2d) 864 (Utah, April, 1933).

[55] Leary v. Adams, 147 So. 391 (March and April, 1933).

[56] State v. Gurda, 243 N.W. 317 (June, 1932).

[57] Roman Catholic Archbishop of Diocese of Oregon v. Baker, 15 P. (2d) 391 (Oct., 1932).

[58] Hedgcock v. People. 13 P. (2d) 264 (Colo., June, 1932).

[59] Women's Kansas City St. Andrew Soc. v. Kansas City, 58 F. (2d) 593 (April, 1932). Cf. note, *Univ. of Penna. Law Rev.*, Vol. 81, p. 81 (Nov., 1932).

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recognize a rather well established trend to give greater weight to æsthetic considerations.[60]

4. *Regulation of Oil Production.* The policy of proration in oil-producing states by which administrative commissions set production quotas for each pool as a whole and allocate these quotas among the wells within the pools continues to be one of the major issues before the courts in a number of states.[61] At first, the courts were inclined to hold the acts valid as directed only to the prevention of waste of oil.[62] Later, the proration scheme was checked by decisions predicated on the ground not only that state commissions had exceeded their authority, but also that it was part of the purpose of proration to regulate market supply and demand and thereby to control prices.[63] Due to uncertainty with regard to the law of proration, and increasing difficulties in the production and distribution of oil, Governors Murray of Oklahoma and Sterling of Texas took control of the situation and placed certain fields under martial law. It was these martial-law orders which furnished the chief interest in litigation during the year concerning the practice and policy of oil proration.

In Constantine v. Smith,[64] Governor Sterling was held without power to suspend by a proclamation of martial law the constitution and laws of the state and to deprive persons of access to the courts, because such action violates the due process clause of the federal Constitution. The doctrine was announced that to warrant the establishment of martial law in a state, there must be dire and inexorable necessity, except in case of actual warfare and within the area of actual hostilities. General practice in the states and the leading decisions relative to martial law have accorded greater powers to the governor. But the holding of the lower federal court was sustained by the Supreme Court of the United States.[65]

With powers considerably increased by special legislation, the Texas railroad commission issued an order fixing a top allowance for the east

[60] C. P. Light, Jr., "Aesthetics in Zoning," *Minn. Law Rev.*, Vol. 14, p. 109 (Jan., 1930). Perhaps the suggestion of Justice Cardozo may be applicable here, when he says that in general where conflicts arise, "moral values are to be preferred to economic, and economic to æsthetic." *The Paradoxes of Legal Science* (New York, 1928), 57.

[61] See this REVIEW, Vol. 26, p. 667.

[62] Julian v. Capshaw, 292 Pac. 841 (1930); also J. Howard Marshall and Normal L. Meyers, "Legal Planning of Petroleum Production: Two years of Proration" *Yale Law Jour.*, Vol. 42, p. 712 ff. (March, 1933).

[63] MacMillan v. Railroad Commission, 51 F. (2d) 401 (1931).

[64] 57 F. (2d) 227 (Feb., 1932).

[65] Sterling v. Constantine, 53 S. Ct. 190 (Dec., 1930). Cf. Charles Fairman, "Martial Rule and the Suppression of Insurrection," *Ill. Law Rev.*, Vol. 23, p. 766 (April, 1929). For the practice of the states in dealing with martial law, see Hatfield v. Graham, 73 W. Va. 759 (1914); also, *Col. Law Rev.*, Vol. 33, p. 152 (Jan., 1933).

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Texas field as a whole and apportioned the allowance equally on a per well basis. This order Circuit Judge Hutcheson held void because the commission failed to regard the difference in productive capacity and situation among the various wells. Asserting that the order was designed primarily to keep production within the existing demand, Judge Hutcheson objected that "it has arbitrarily and without adequate grounds limited the total production of the field far below any amount which the evidence fairly shows the interest of the owners, consistent with public necessity, permits."[66]

The continuing efforts of Governor Murray of Oklahoma to take possession of oil wells and through the calling out of the state militia to enforce the laws relating to the prevention of waste was checked, also, by the state supreme court. Objections were raised to the provision of the executive order establishing martial law, which levied an assessment against the producers in the field to pay the expense of police and military control and provided that in case of refusal to pay the levy by a producer his wells should be closed. In this and other respects, the executive order, it was held, usurped the powers and functions of the corporation commission and deprived operators of their rights without due process of law. The reasoning of Sterling v. Constantine,[67] was considered controlling, in the opinion of the court, despite certain significant differences between the orders of Governor Sterling and Governor Murray.[68]

5. *Regulation of Motor Traffic.* The states are gradually finding ways and means of obviating the objections of Smith v. Cahoon[69] and similar decisions of the Supreme Court of the United States relating to the regulation of motor traffic. An act requiring certificates of public convenience and necessity of private carriers, where the business consisted of continuous or recurring carriage under the same contract, was upheld despite an extensive list of exemptions.[70] The separation of contract carriers into classes

[66] People's Petroleum Producers v. Smith, 1 F. Supp. 361 (Oct., 1932). See also Oklahoma Natural Gas Corp. v. State, *supra*, note 13.

[67] 53 S. Ct. 190 (Dec., 1932).

[68] Russell Petroleum Co. v. Walker, 19 P. (2d) 582 (Feb., 1933).

[69] 283 U.S. 553 (1931). In this case, a state law which required those who operate motor vehicles on the highways in the transportation of goods for hire to furnish a bond or insurance policy for the protection of the public against injuries received through negligence in such operation, but which did not apply to those engaged exclusively in transporting agricultural, horticultural, dairy, or other farm products and certain fish products to primary markets, was held repugnant to the equal protection clause. For comments on Stephenson v. Binford, 287 U.S. 251 (1932) upholding a Texas statute providing an extensive scheme of regulation, see *Mich. Law Rev.*, Vol. 31, p. 396 (Jan., 1933).

[70] Riley v. Lawson, 143 So. 619 (Fla., Aug., 1932). See also decision of federal court sustaining an ordinance creating a license commission and making declaration of public convenience and necessity a condition precedent to the granting of a taxi-

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was thought well within the principle announced by the Supreme Court in Sproles v. Binford,[71] that the state may "foster a fair distribution of traffic to the end that all necessary facilities shall be maintained and that the public shall not be inconvenienced by inordinate uses of its highways for purposes of gain." Likewise an act regulating the size of trucks, the business done, and the responsibility of operators was held not arbitrarily discriminatory as applied to contract carriers, though exempting vehicles used exclusively in transporting farm and dairy products to original storage or to market.[72] But a South Carolina law with similar discriminatory features was held void.[73]

The attempt of the railroads to check the competition of motor traffic was apparent in the consideration of the Montana statute prohibiting private motor carriers from operating on state highways without having obtained a certificate of public convenience and necessity. A majority of the court sustained the law as a reasonable regulation. But two justices, believing that the act was inspired by railroad executives who wished to regulate competition, claimed that the real issue was the right to exclude private carriers from the use of the highways because the business of other carriers is affected. To them, the act interfered with the right to engage in a lawful private business, and therefore violated the Fourteenth Amendment.[74]

The extent to which legislatures and courts are going in the support of state authority in the regulation of motor traffic is seen in the approval of a Kentucky act. A statute authorized the highway commission or the county judges to reduce loads and speed limits to prevent damage to roads and bridges, and to prohibit motor traffic entirely for limited periods, if deemed necessary for public safety. In holding this act not an unlawful delegation of power and not void for lack of definite standards, the court observed: "The disposition in recent times has been to regard such provisions less critically and to classify them as regulatory wherever possible instead of legislative in character. That situation has been brought about by radical changes in conditions . . . . it would be practically im-

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cab license. Capitol Taxicab Co. v. Cermak, 60 F. (2d) 608 (Aug. 1932), and approval of the provisions of an ordinance regulating rented driverless cars. Driverless Car Co. v. Armstrong, 14 P. (2d) (Sept., 1932).

[71] 286 U.S. 374 (1932).

[72] Schwartzman Service v. Stahl, 60 F. (2d) 1034 (Mo., July, 1932), For similar holding, see East Tennessee and Western Ga., Motor Transp. Co. v. Carden, 50 S.W. (2d) 230 (June, 1932), and State v. Hicklin, 167 S.E. 674 (S. Ca., Jan., 1933).

[73] Nutt v. Ellerbe, 56 F. (2d) 1058 (March, 1932).

[74] Barney v. Board of Railroad Comr's., 17 P. (2d) 82 (Dec., 1932). For the change in the attitude of the Supreme Court of the United States toward this mode of regulation, see Frost Trucking Co. v. Railroad Commission, 271 U.S. 583 (1926), and Stephenson v. Binford, 287 U.S. 251 (1932).

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possible for the legislature in performing its task of adjustment to do more than to construct a framework for the statute and delegate to its administrators the power under regulatory provisions to complete the structure by dealing with the multitude of details."[75]

A statute imposing a tax of one-fourth cent per ton-mile on motor carriers, based on maximum capacity, weight, and mileage, was held valid as to interstate carriers, because the charge was regarded as a reasonable and fair contribution to the construction and maintenance of highways.[76] But a state law requiring owners of auto transportation companies to procure liability insurance for all persons injured because of their negligence, including passengers, was held invalid as imposing a burden on interstate commerce. Though the federal courts recognize and approve broad powers of regulation and control of auto transportation in interstate commerce, such regulation must not go so far as to deny the right to engage in interstate commerce.[77]

6. *Public Utility Regulation.* That the judicial mind is at times a bit slow to take cognizance of rather obvious political and economic facts appears in the review of an order of a state public service commission. When the commission approved rates on a valuation basis which would permit net earnings in excess of $6\frac{1}{3}$ per cent, the order was held void as not constituting just compensation for the use of property. The court did not undertake to determine what would be a fair return, but suggested that assuming 8 per cent to be a fair return on the rate base fixed by the commission, the rates allowed by the commission were much too low. Obviously, the effects of the depression were to be considered as to a possible decrease in income, but not as to the return on capital invested.[78] An order of the Oklahoma corporation commission fixing electric rates for industrial consumption at cotton gins, not based on the determination whether the rate fixed would furnish a reasonable return for service rendered, including cost plus a reasonable profit, was also held invalid.[79]

The attack upon the comprehensive traction ordinance approved by the voters of Chicago to provide a unified local transportation system was

[75] Ashland Transfer Co. v. State Tax Commission, 56 S.W. (2d) 691 (Dec., 1932). The reasoning of Continental Baking Co. v. Woodring, 55 F. (2d) 347 (1931), and Sproles v. Binford, 286 U.S. 374 (1932), was followed.

[76] Grolbert v. Board of Railroad Com'rs., 60 F. (2d) 321 (June, 1932).

[77] Cobb v. Department of Public Works, 60 F. (2d) 631 (July, 1932). For other cases dealing with equal protection of the laws, see, State v. Levine, *supra*, note 20; Herriot, v. City of Pensacola, *infra*, note 106; Lewis v. Mayor and City Council of Baltimore, *supra*, note 52.

[78] Elko-Lamoille Power Co. v. Public Service Comm., 1 F. Supp. (Nev., Oct., 1932).

[79] Oklahoma Gas & Electric Co. v. Corporation Commission, 1 F. Supp., 966 (Nov., 1932).

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unsuccessful. Superseding the unification ordinance of 1913, the ordinance of 1930 was the result of years of study, consultation, and compromise to find a solution for the local transportation problem. Though the contentions of counsel raised practically every possible method of attack, the court found no violation of any express or implied language of the constitution. The ordinance was held not discriminatory; it did not create a monopoly, and did not grant an exclusive privilege or franchise, though certain features may well be regarded as in conflict with these constitutional limitations. In meeting the objections to the title of the act, the court replied: "The legislature must itself determine how broad and comprehensive shall be the object of a statute and how much particularity shall be employed in defining it."[80]

The constitutional provision limiting a municipality's authority to create indebtedness for purchasing or constructing public utilities was rather oddly interpreted, where a public utility constructed by a municipality with borrowed money was sold, to the effect that the proceeds of the sale may be used only for the purpose for which the money was borrowed. It was the city's contention that after setting aside an amount sufficient to pay the principal and interest on the bonds, it was free to use the returns from the sale at its discretion. But the court held that the constitutional provisions were applicable not only to the immediate use of the money borrowed, but also to any subsequent uses. In the opinion of two dissenting justices, the city should have been permitted to use any surplus resulting from the sale for another light plant, a gas plant, or other public improvements.[81]

The efforts of the public service commission of Kansas to regulate the relations between subsidiary gas companies and the Cities Service Gas Company, a holding corporation, raised the usual issue of a denial of due process of law. After a hearing, the commission found that the charges and expenses paid under contracts of the distributing companies with the holding company were unreasonable. But the question of confiscation of property being raised, it was held that the plaintiffs are entitled to the independent judgment of a judicial tribunal as to the law and facts. On a resurvey of the facts, the court found that the commission's valuation was almost ten millions too low and that the return of 7.11 per cent allowed on this return was inadequate, since approximately 8 per cent upon present values is necessary to assure confidence in the financial soundness of the

[80] People v. City of Chicago, 182 N.E. 419 (July, 1932).

[81] Protest of Reid, 15 P. (2d) 995 (Okla., Oct., 1932). For an account of the methods and devices to exceed the constitutional debt limitations on municipal indebtedness by the purchase, sale, and management of public utilities, see, "The Courts and Constitutional Limitations on Municipal Indebtedness," *Iowa Law Rev.*, Vol. 18, p. 269 (Jan., 1933).

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company. As a consequence, the order to reduce the gas rate from 40 to 30 cents per thousand cubic feet was held void.[82]

Where a corporation or utility commission is established by the constitution and authorized to require railways to provide adequate agents and facilities for passengers and freight, the power to prescribe rules of order and procedure in such matters is granted exclusively to the commission. A statute regulating rules of procedure for hearings was therefore held void. Indicating the extent to which the usual requirements as to the separation of powers and judicial review have been departed from, the court observes: "When the commission has the power and is charged with the duty to require a common carrier to do a certain thing, it is the last, the highest, and the controlling fundamental law as to that matter. . . . The functions of the commission are not confined to any of the three departments named."[83]

[82] Wichita Gas Co. v. Public Service Commission, 2 F. Supp. 792 (Jan., 1933). For an anslysis of the complex data involved and the rough guessing of engineers, economists, lawyers, and judges in the valuation process, see supplemental memorandum, *ibid.*, 799 ff., and dissenting opinion. District Judge Hopkins disagreed on the holding that the commission's rate was confiscatory and that a return of 8 per cent on present values is necessary, and took occasion to score the methods of Henry L. Doherty & Co. in securing a monopoly in this field.

[83] *In re* Atchison, T. & S.F. Ry. Co., 20 P. (2d) 918 (N. Mex., Mar. 1933).

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The Editor Votes. The "new deal" has received resounding praise from the public press. Newspaper editors, however, have not always hailed the spokesman of it so heartily. Indeed, one is tempted to suggest that the present acclaim arises in some part from the fact that prompt and decisive action came as a distinct and dramatic surprise to those who had expected little. However that may be, the following survey of opinions of newspaper editors made during last fall's presidential campaign presents an interesting contrast with current editorial expression.

Differing from all of its predecessors, the presidential poll of newspaper editors conducted during the campaign and reported here dealt primarily with description of the *degree* of favor or disfavor shown by the opinions of this important and strategic group. This was made possible through the use of a new development in straw-balloting technique which yields description more precise than a mere count of persons holding favorable opinion of *any* sort or degree, toward a candidate or toward a position upon an issue. Here the number of editors who expressed a preference for the several candidates is considered of minor importance. The major interest is as to how favorable or unfavorable were the opinions of this group concerning the rival candidacies, and also as to what clues the richer description gives as to factors influencing the opinions.

The study was not undertaken with any notion that the opinions of newspaper editors might be an index of the opinions of their readers, or an indication of how the people of the several communities would vote. It was prompted by a belief that editors of our daily newspapers constitute an important and strategic body of men whose opinions are worthy of careful description, and that formation and expression of opinion during a political campaign are phenomena of prime importance to the student of politics and government.

Under the dates September 25 and 28, 1932, straw ballots were mailed to the editors of all daily newspapers in cities of the United States having a population of 30,000 or more.[1] Editors of the daily newspapers in state capitals were also addressed, although some capital cities have a population of less than 30,000. The ballot used was that presented in a recent article in this REVIEW[2]—one that offers opportunity for checking not a

[1] The list of papers and the names of editors were compiled from the 1932 edition of Ayer and Son's *American Newspaper Annual and Directory*.

[2] See Vol. 26, no. 3 (June, 1932), pp. 527–544. Directions for marking are important, and may be observed from the heading of the ballot form used. (see bottom of next page.) All fifty-seven statements of the candidate scale were included, and a blank line number 58 was added for writing in additional statements desired.

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mere "yes" or "no" as to favor for candidates, but a tested series of statements indicating different degrees of favor or disfavor. The letter of transmittal made an appeal for indulgence on the part of busy editors because of possible interest in more careful study of attitudes highly significant in public life and dealt with day after day by men of the press. It stressed the points that the returns from the poll would be used for scientific purposes only, that publication of results would not be made until after the election and then in scientific literature, that the secrecy of the individual balloting would be guarded and respected, and that the ballot should not be signed unless the editor desired a copy of the published results, or wished an analysis of his individual ballot prior to the election. The effectiveness of the communication was undoubtedly enhanced by the use of the following postscript: "This project has been submitted to Mr. A. H. Kirchhofer, secretary of the American Society of Newspaper Editors. He authorizes me to say that he has been assured of the sincerity of this communication and of the integrity of the promise to safeguard the secrecy of your straw ballot."

The name of the state was the only identification on the ballots sent out. The post-marks on all returns were clear and were taken as identification of the editor's city. This provided classificatory data for the geographical grouping of responding editors and for their grouping according to size of city represented. Data for the further grouping of responding editors according to the political affiliation of papers represented[3] were secured for those who asked for the findings and furnished their names and addresses, and for those in two-paper cities where the other editor submitted an identified ballot. Classification according to political affiliation of their paper was possible for sixty per cent of all editors responding. Since the study was based on a pioneering development in straw-balloting procedure, it was thought wise to guard against the possibility that interest might lead to retention of ballots as well as to voting and return of

PRESIDENTIAL STRAW BALLOT

My choice for President of the United States is		My candidate's strongest opponent is .....
I intend to vote *for* him because of reasons checked below.	(If you are undecided, check statements below indicating so.)	I intend to vote *against* him because of reasons checked below.
☐ 1. He is the best man we could find for the office today.....		1. ☐
☐ 2. He is not as big a man as the other candidates.....		2. ☐

[3] The balloted opinions were those of the individual editors, not necessarily those expressed in the editorial columns of their papers. Political affiliation of the papers was taken as means for illuminating classification of editors and their individual opinions.

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them. Consequently, an extra ballot was enclosed in each communication for later reference by the editor if he desired. Use of an addressed, postpaid reply envelope, and the return of only one ballot in an envelope, guarded against multiple voting.

Communications as described were sent to 530 editors, representing 573 daily newspapers having a total circulation of 31,563,995 copies, and situated in 301 different cities having a combined population of 46,417,-132. Geographically, the distribution of editors was as follows: New England (Me., N.H., Vt., Mass., R.I., Conn.), 71; Middle Atlantic (N.Y., N.J., Pa), 108; East North Central (Ohio, Ind., Ill., Mich., Wis.), 108; West North Central (Minn., Ia., N.D., S.D., Neb., Kan.), 29; South (S.C., Ga., Fla., Ala., Miss., La., Ark., Tex., Va., N.C.), 85; Border (Del., Md., W.Va., Ky., Tenn., Mo., Okla.), 50; Mountain (Ariz., N.M., Mont., Ida., Wyo., Colo., Utah, Nev.), 22; Pacific (Ore., Wash., Calif.), 51; and District of Columbia, 6. As respects size of city, the editors were distributed as follows: in cities of one million population or more, 34; one-half to one million, 33; one-quarter to one-half million, 57; one hundred to two hundred and fifty thousand, 111; fifty to one hundred thousand, 142; and under fifty thousand, 153. By political affiliation of their papers, the distribution was: Republican, 88; Democratic, 58.5;[4] Independent-Republican, 76.5; Independent-Democratic, 61.5; Independent, 218.5; and "other" (affiliation not stated, or miscellaneous designation), 27.

II

Of the 530 editors addressed, 133, or 25.1 per cent, responded;[5] and of these, eighty, or 15.1 per cent, submitted identifiable ballots. A twenty-five per cent response from busy editors, requested to check a new and somewhat elaborate ballot which offered postponed rather than immediate results, would seem to be remarkably high. Such response certainly constitutes a workable sampling of the opinion of this important group; and it would seem to be a rather representative sampling, as the following analysis will indicate. The 133 responding editors (25.1)[6] represented at least 138 papers (24.0) having a combined circulation of at least 6,396,447 (20.2), and possibly 11,210,908 (35.5) copies.[7] They published in 115

[4] Some were editors of two papers, of different party affiliations.

[5] Of the 133, a total of 130 checked scaled statements as well as indicated their choice for President. Only 111 checked scaled statements respecting their candidate's strongest opponent in addition to naming him.

[6] In this section, the numbers in parentheses are the percentages which the given figures are of those for the entire group addressed.

[7] Calculation of "least circulation" is based on known circulation in the case of identified editors and least circulation of a paper in a city represented by an unidentified editor. Use of largest circulation of a paper in a city represented by an unidentified editor gives the larger figure.

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cities (38.2) having a combined population of 30,819,450 (66.4). The per cent responding in each of the several geographic areas was: New England, 29.6; Middle Atlantic, 26.8; East North Central, 25.0; West North Central, 31.0; South, 20.0; Border, 32.0; Mountain, 13.6; Pacific, 21.6; and District of Columbia, 0.0. Similar percentages for the response from cities of various size were: cities of one million population or more, 20.5; one-half to one million, 33.3; one-quarter to one-half million, 28.0; one hundred to two hundred and fifty thousand, 27.0; fifty to one hundred thousand, 21.8; and under fifty thousand population, 24.8. Similar percentages for classifications of editors by political affiliation of the papers represented can be given only for the 80 identified ballots, which were 15.1 per cent of those addressed. Such percentages were: Republican, 13.6; Democratic, 18.8; Independent-Republican, 19.6; Independent-Democratic, 16.2; (Republican and Independent-Republican, 16.4; Democratic and Independent-Democratic, 17.5); and Independent, 19.6.

Several factors which may have had an effect upon the sampling of responding editors require comment. Protection of the secrecy of the individual ballot and request for the editor's own opinion should have cut into the number of those who would have been restrained from balloting because of some editorial policy of their paper. Apparently there was little or no response, however, from editors in such chains as the Hearst papers. Provision of a postage-free return envelope should have avoided another deterrent. Notice that findings would not be used during the election, but only for purposes of scientific study, may have deterred the strict partisan; although mention of an officer of a professional organization touching an interest common to most of those addressed should have provided some offset for this factor. The unusual ballot may have had a deterrent effect; but as the letters of a number of editors indicated, the ballot form may have had the opposite effect since it could be regarded as enabling an editor to say more exactly what he thought than would the crude "yes-no" form. The proportion of non-response would appear to be about what one would expect to result from pressure of business and other related factors.

It remains to be shown that the sample represents the opinions of editors of large and important papers as well as of editors of papers of secondary importance. Were it not for the pledge to safeguard the secrecy of the individual balloting, one could easily indicate the fair representation of important editors by presenting a list of papers represented by the identified ballots. This can be shown indirectly, however. In the press galleries of Congress,[8] 300 daily newspapers published in the United States are directly represented; 70 such papers are directly represented by one or

[8] *Congressional Directory*, 72d Cong., 1st Sess., January, 1932, pp. 592–606.

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more correspondents accredited to an individual paper and to that paper alone; and 57 papers are directly represented by one, two, or three correspondents accredited to an individual paper and to that paper alone. If the responding editors are representative, the list of papers represented by the 80 editors who submitted indentifiable ballots should contain approximately 15.1 per cent of the papers in each of the above groups. This per cent of the 300 papers amounts to 45.3 papers. The responding editors are known to represent 45 of the papers in the group of 300. The same per cent of the 57 papers directly represented by one, two, or three correspondents accredited to an individual paper and to that paper alone amounts to 8.6 papers. The balloting editors are known to represent eight of the papers in this group. Similarly, the list should contain 10.6 papers directly represented by one to a dozen correspondents accredited to an individual paper and to that paper alone. That it actually contains only eight is due to the fact that the newspapers of Washington, D.C., are heavily represented in the press galleries and that none of the editors of papers in the capital responded in this poll.

The bulk of the response, one should note, represented opinions held during the last week of September and the first week of October. By October 1, 79.7 per cent of the responses were in the mail; by October 8, 89.4 per cent; by October 15, 94.7 per cent; and the last response was mailed, from the Pacific coast on October 29. It would have been interesting if a balloting could have been arranged to reveal the opinions of the editors as of the last week of the campaign. A comparison of the two descriptions might have brought to light something as to what happens to opinions during a campaign. Perhaps such a double balloting can be arranged for the next presidential campaign.

A number of facts point to a high degree of interest, care, candor, and insight in the several returns: the high proportion of response, the early response, the evident discrimination and consistency in the checking of the scaled statements on the ballot, the apparent reliance upon the safeguards against publication and exploitation of individual expressions of opinion, numerous requests for immediate analysis of the individual's ballot in terms of the scale and its meaning, fair response to the request for a copy of the editorial considered most representative of the editor's column,[9] and curiosity as to the study and its collective findings as evidenced by letters and requests for a copy of the final publication.

III

As might be expected from the preponderance of newspapers of Republican affiliation, 71 editors expressed a measurable preference for

[9] These are being used in a study of the editorial product of selected newspapers during the campaign.

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Hoover as compared with 53 who expressed a measurable preference for Roosevelt. Thomas was given the preference by four editors, and Smith by two. Roosevelt was similarly voted the strongest opponent of their choice for president by 61 editors, and Hoover the strongest opponent by 50 editors.

Analysis of this balloting can be presented first in terms of the statements which were endorsed by more than a majority of the several groups of editors; that is to say, in terms of what might be called common denominator opinions. Such a pattern of opinion as endorsed by the 71 pro-Hoover editors is given in Table I. The first column of figures shows the per cent of the pro-Hoover editors who endorsed the several common denominator statements as being true of their favored candidate. The second column affords a comparison of possible interest by giving the per cent of the pro-Roosevelt editors who endorsed the same statements as being true of their choice for the presidency.

TABLE I

Pro-Hoover Common Denominator Statements	*Per cent of Pro-Hoover Editors Endorsing Statements*	*Per cent of Pro-Roosevelt Editors Endorsing Statements*
He has executive ability and business insight, and that is what the presidency needs	80.3	56.6
He deserves another term	69.0	0.0
He is the best man we could find for the office today	66.2	32.0
He is desirable because he is conservative and safe	61.9	9.4
He has evidenced his power to overcome obstacles by his rise from obscure position to eminence	60.6	17.0
He understands the needs of the general public	56.3	58.5
I trust him because he is honest	56.3	52.8
His past record is good enough to warrant his serious consideration for the office	54.9	77.3
His knowledge of business would make for efficiency in government	50.7	20.7

For the most part, this was the pattern of opinion favorable to Hoover both in the Industrial Belt[10] and in the Non-Industrial Belt.[11]

[10] Industrial Belt includes the following groupings mentioned above: New England, Middle Atlantic, and East North Central. East has reference to the combined New England and Middle Atlantic sections; North Central, the combined East North Central and West North Central; and West refers to the combined Mountain and Pacific sections.

[11] Detailed analysis of the poll can be secured in mimeographed form from the author.

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The pattern of common denominator statements endorsed by the pro-Roosevelt editors is presented in the following table.

TABLE II

Pro-Roosevelt Common Denominator Statements	*Per cent of Pro-Roosevelt Editors Endorsing Statements*	*Per cent of Pro-Hoover Editors Endorsing Statements*
He is desirable because he is progressive	83.0	16.9
He is the best hope for a much-needed reconsideration of the Eighteenth Amendment	77.3	28.1
His past record is good enough to warrant his serious consideration for the office	77.3	54.9
The agricultural problem would secure as good a hearing from him and his party as it is getting from his opponents, if not better	71.7	18.3
He has done very well in other offices, and might repeat in the presidency	69.8	12.7
He has a forceful personality, and so would give strong party leadership	64.1	5.6
As President, he would do no worse in international affairs than the present administration has done	64.1	0.0
He understands the needs of the general public	58.5	56.3
He has executive ability and business insight, and that is what the presidency needs	56.6	80.3
I trust him because he is honest	52.8	56.3

It may be of interest to note that the statements regarding progressivism and the Eighteenth Amendment were tied for first place in the pattern of opinion favorable to Roosevelt as expressed by the editors from the Industrial Belt (80.9)[12] and the editors from cities of 100,000 population or more (82.7). The statement respecting progressivism was most prominent in the pattern of opinion of the editors from the Non-Industrial Belt (84.4) and the editors of Independent papers (90.9). The statements respecting progressivism and the candidate's record were tied for first place in the pattern of opinion of editors in cities of less than 100,000 population (83.3). The editors of Democratic papers agreed most upon the statement respecting the Eighteenth Amendment (88.8), and the editors of Independent-Democratic papers upon the statement respecting agriculture (100.0).

The common endorsements constituting the patterns of opposition opinion were not so numerous. A majority of the 50 anti-Hoover editors

[12] In this section, the figures in parentheses are the percentages of the stated group of editors who endorsed a statement.

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were agreed only upon the statements: Hoover "lacks the necessary capability and sound judgment of a statesman" (66.6); and "He is a straddler, as is shown by his ill-defined stand on ————————" (52.0). Over three-fourths of those filling in this blank mentioned prohibition. To this pattern, the editors from the Non-Industrial Belt (58.0), and particularly the editors from the combined West and West North Central (77.7), added the statement: "He is a little too conservative." The editors from the Non-Industrial Belt also added the statement: "He is not qualified to represent agricultural interests, which sadly need consideration" (54.8).

A majority of the 61 anti-Roosevelt editors were agreed only upon the statements: Roosevelt "lacks the necessary capability and sound judgment of a statesman" (77.0), and "He is not as big a man as the other candidates" (65.5).[13] To this pattern the editors from the Non-Industrial Belt added: "He is a straddler, as is shown by his ill-defined stand on ————————" (52.9). Those who filled in the blank named bonus, "everything," agriculture, tariff, Walker, prohibition, and utilities, with a frequency in the order given, about one-third specifying bonus.

IV

Before a summary of the balloting is presented in the numerical terms of the candidate scale, some reminder should be given of the meaning of the figures in terms of favorable and unfavorable affect. This is illustrated by the diagram below.

0.7	5.5	10.3
Most unfavorable statement	Neutral statement	Most favorable statement

The statement indicating the most extreme disfavor toward a candidate is located on the scale at 0.7; the statement indicating the slightest disfavor is located at 5.3; and statements scaled between these points indicate appropriate gradations of disfavor. The range of distinctly neutral statements is 5.3 to 5.7, centering about the midpoint of the scale, 5.5. The statement indicating the slightest favor toward a candidate is at 5.8; the statement indicating the most extreme favor is at 10.3; and those scaled between these two points indicate appropriate gradations of favor.

The checking of ballot statements by an editor is summarized by four sorts of measures. One is the central tendency of his endorsements of

[13] Thirty-eight per cent of the anti-Hoover editors deemed this statement to be true of the Republican candidate.

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statements respecting the candidate of his choice and the central tendency of his checking of statements respecting the designated opponent of his preferred candidate. The other measures are the extreme limit, the moderate limit, and the range of each opposed list of statements checked. In the preceding section, summarization of the balloting of a group of editors has been presented in the form of percentages of a group who checked a given statement as representing their opinion respecting a candidate. At this point, summarization of the balloting of a group of editors is presented in terms of averages of the central tendency, the extreme limit, the moderate limit, or the range of endorsements of each of the editors of the group.

Table III presents the several measurements[14] of the degree of favor or disfavor expressed by the pro-Hoover, the pro-Roosevelt, the anti-Hoover, and the anti-Roosevelt editors.[15]

TABLE III

Several Forms of Group Averages	*Degree of Favor*		*Degree of Disfavor*	
	Pro-Hoover Editors	*Pro-Roosevelt Editors*	*Anti-Hoover Editors*	*Anti-Roosevelt Editors*
Central tendency	8.3	7.9	3.1	3.1
Extreme limit	9.7	9.3	1.8	1.8
Moderate limit	7.0	6.1	4.3	4.3
Range	2.7	3.2	2.5	2.6

Several generalizations may be drawn from this table and its supporting data.[16] The first is in apparent contradiction to the popular expectancy that any description of attitudes toward the candidates in the late campaign would show a marked anti-Hoover vote. The election returns may have been a vote against the Republican incumbent, but that supposition is not reflected in the negative voting of the editors responding in this poll. Popular discontent directed against Hoover may have influenced the editors, but if that is so, it is to be seen in a more subtle form of reaction reflected in their affirmative voting. Thus, the degree of dis-

[14] The probable errors of the scale value of the statement landmarks of the candidate and of other similar scales are compared in an article on "Measuring the Severity of the Third Degree," shortly to appear in the *Journal of Criminal Law and Criminology*.

[15] The average central tendency of the four editors favoring Thomas was 8.0; while that of the two editors favoring Smith was 8.4. The sample expressing these preferences was much too small to justify treatment or further statement.

[16] A mimeographed copy of the more detailed analysis can be secured from the author.

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favor on the part of those expressing opposition to Roosevelt was the same as the degree of disfavor expressed by those opposed to Hoover.

In all sections of the country, the editors selecting Hoover as their choice for the presidency expressed a higher degree of favor for him than that expressed for Roosevelt by those selecting the Democratic candidate as their choice. This is the outstanding differential in the whole of the data. Several possible interpretations may be offered in explanation. (1) Pro-Hoover editors were voting on the basis of a record known and still favored. There was no question in their minds as to what Hoover might do; consequently they tended to endorse stronger statements. On the other hand, pro-Roosevelt editors, in voting for a man untried in the presidency, tended to include among their endorsements statements expressing doubt and uncertainty as well as statements indicating strong favor. (2) The balloting of the pro-Roosevelt editors might be considered apologetic in part, Roosevelt profiting, possibly, by general discontent against the administration in power. (3) The lack of apologetic statement on the part of pro-Hoover editors might have been a corrective reaction to the discontent generally expressed against Hoover, and an unwillingness to grant any doubt as to the desirability of their candidate.

An outstanding feature of the balloting of all the editors, irrespective of their presidential preference or other classification, was the moderateness of their opinion. Voters in their several communities may have been given to extreme expressions of attitude, and the editors themselves may have helped create such attitudes through their editorials, but they generally avoided checking statements of extreme opinion. This may have been due to the fact that the straw ballot represented their opinion as of late September and early October, that the poll was being conducted under non-partisan auspices, or that their opinion was that of a practical group not given to extreme affect in their attitude toward the campaign. Certainly it was not merely the result of the process of averaging, for extreme statements were not commonly endorsed as in cases where the candidate scale has been applied to students or general groups of citizens.

The range of their endorsements, moreover, indicated considerable discrimination. It was sufficiently great to reveal deliberate opinion accompanied by a fair degree of tolerance, a tolerance, however, which did not amount to the gullibility which the much wider ranges of endorsements by some other groups suggest. The average of the ranges of endorsement favorable to Hoover, unfavorable to Hoover, and unfavorable to Roosevelt were practically the same, and were in considerable contrast with the ranges of those favorable to Roosevelt. The wider ranges of the latter endorsements were due to more general acceptance of statements indicating a slight degree of favor in addition to statements indicating a greater degree of favor.

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Almost without exception for any grouping, the standard deviations of the central tendencies of opposition were greater than the standard deviations of the central tendencies of preference. Evidently there was more uniformity in the degree of favor than in the degree of disfavor, irrespective of candidate.

Some further analysis of editors' attitudes classified by size of city represented by balloting editors may be drawn from Tables IVa and IVb.

TABLE IVa

Several Group Averages of Favor for Preferred Candidate	*Pro-Hoover Editors from*		*Pro-Roosevelt Editors from*	
	Cities of Less than 100,000 Population	*Cities of 100,000 Population or More*	*Cities of Less than 100,000 Population*	*Cities of 100,000 Population or More*
Central tendency	8.3	8.3	8.0	7.8
Extreme limit	9.8	9.6	9.5	9.1
Moderate limit	7.0	6.9	6.0	6.2
Range	2.7	2.7	3.4	3.0

TABLE IVb

Several Group Averages of Disfavor toward Opponent of Preferred Candidate	*Anti-Hoover Editors from*		*Anti-Roosevelt Editors from*	
	Cities of Less than 100,000 Population	*Cities of 100,000 Population or More*	*Cities of Less than 100,000 Population*	*Cities of 100,000 Population or More*
Central tendency	3.0	3.1	3.0	3.2
Extreme limit	1.6	2.0	1.6	2.0
Moderate limit	4.5	4.2	4.3	4.3
Range	2.8	2.2	2.8	2.3

Of considerable interest may be the fact that the editors from the smaller cities were willing to accept stronger statements of disfavor than were the editors from the cities of larger size. This was true irrespective of the candidate opposed. The same fact is reflected also in the differences in the ranges. The ranges of disfavor expressed by the editors of the larger cities were less, and indicated, possibly, a more definite degree of disfavor on their part. But for this, there was no significant differential in the balloting of these two groups of editors, either as to favor toward Hoover or disfavor toward Roosevelt. In the case of favor expressed toward the Democratic candidate, the editors from the lesser cities exhibited a greater range with more extended limits, particularly a higher

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limit of extremely favorable expression, than did the editors from the cities of 100,000 population or more. Similarly, the limits of their unfavorable expression directed against the Republican candidate were more extended. Again it will be noticed that for practically all corresponding figures the favor toward Hoover was greater than the favor toward Roosevelt.

Tables Va and Vb present data permitting analysis of editors' attitudes classified by political affiliations of the newspapers represented by the balloting editors.

TABLE Va

Several Group Averages of Favor for Preferred Candidates	*Pro-Hoover Editors of*				*Pro-Roosevelt Editors of*			
	Rep. Papers	*Ind.-Rep. Papers*	*Ind. Papers*	*Papers[17] Affiliation Unknown*	*Dem. Papers*	*Ind.-Dem. Papers*	*Ind. Papers*	*Papers[17] Affiliation Unknown*
Central tendency	8.5	8.1	8.3	8.4	8.0	7.7	7.9	8.0
Extreme limit	9.9	9.6	9.6	9.7	9.3	9.2	9.2	9.4
Moderate limit	7.2	6.6	7.2	6.9	5.8	5.8	6.4	6.3
Range	2.7	3.0	2.5	2.8	3.5	3.4	2.9	3.1

TABLE Vb

Several Group Averages of Disfavor toward Opponent of Preferred Candidate	*Anti-Hoover Editors of*				*Anti-Roosevelt Editors of*			
	Dem. Papers	*Ind.-Dem. Papers*	*Ind. Papers*	*Papers Affiliation Unknown*	*Rep. Papers*	*Ind.-Rep. Papers*	*Ind. Papers*	*Papers Affiliation Unknown*
Central tendency	3.2	2.9	3.1	3.1	3.0	3.1	3.0	3.0
Extreme limit	1.8	1.6	2.3	1.8	1.6	1.7	1.9	1.8
Moderate limit	4.6	4.1	3.9	4.5	4.1	4.5	4.5	4.2
Range	2.7	2.4	1.6	2.7	2.5	2.8	2.6	2.4

It may be of interest to note that the editors representing Independent-Republican or Independent-Democratic papers evidenced a lower central

[17] Only three editors submitted identifiable ballots expressing choice for a candidate opposed by the politics of the editors' papers. If any other editors balloted in opposition to the political affiliation of the paper they represented, they submitted unidentifiable ballots summarized in this column.

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tendency of favor toward the candidate of their choice than did the editors of the corresponding straight party papers, and that the editors of Independent papers or those representing papers whose affiliation was unknown, in taking a stand, evidenced a central tendency of favor more nearly corresponding to that shown by the editors of the straight party papers. The pro-Hoover editors of straight Republican papers also presented relatively high extreme and moderate limits of favorable endorsement. Pro-Hoover editors of papers whose political affiliation was unknown evidenced an approach to the position of the editors of Republican papers both as respects extreme and as respects moderate limits of favorable endorsement. The editors of Independent papers who took a stand for Hoover matched the pro-Hoover editors of Republican papers in the tendency to avoid endorsement of expression that was only slightly favorable. The pro-Roosevelt editors of Democratic and of Independent-Democratic papers appear to have been willing to accept statements which were almost neutral; and none of the pro-Roosevelt editors were willing to accept statements expressing very extreme favor toward their preferred candidate. Indeed, for all corresponding figures, it will be noticed that the favor toward Hoover was greater than the favor toward Roosevelt. This is in keeping with a generalization previously made. The noticeable feature of the ranges of favorable endorsement is that editors of Independent papers checked a more limited range of favorable statements than did the editors of party or independent-party papers. Their affirmative position would appear to have been slightly sharper.

The marked feature of the expression of unfavorable opinion is that the editors of Independent papers, in taking a position against Hoover, again checked statements located on a more limited range of the scale than did the other editors. This sharper position was even more marked in the case of their expressions of opposition than it was in their expressions of favorable opinion; and while they included more of moderate statement in their expression against Roosevelt, they included markedly less of moderate statement in their voting against Hoover than did the editors of the party papers. The strongest expression against Hoover came from the editors of Independent-Democratic papers. In the case of opposition to Roosevelt, the strongest expression came from editors of straight Republican papers. It was the editors of the Independent and of the Independent-Republican papers who included statements of greatest moderation in their voted expression against Roosevelt. Again there is shown to be slight difference in the central tendencies of opposition to Hoover and to Roosevelt.

V

Finally, an examination was made of the possibility of a relation between the degree of an editor's favor or disfavor for a candidate and the

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proportion of the voters in an editor's city favorable to the candidate. For this purpose the *Literary Digest* supplied the needed figures from its presidential poll as reported on October 29. Also, the official vote of November 8, by cities, was secured for most of the cities involved. Use of the figures for the official vote yielded no significant correlation.[18] Clearly an editor's degree of affect is no index of how his community will vote. Use of the figures from the *Digest* poll, which more nearly correspond in point of time with those of this poll, yielded some significant correlation. Thus, measures of the departure in either direction from the neutral point of the scale, 5.5, of the central tendencies of editors' affect toward a candidate were correlated with measures of the departure in either direction from the even division of 50–50 per cent of the proportion favoring the candidate among those of an editor's city who responded to the *Digest* poll. This correlation gave a Pearsonian coëfficient of $-.24 \pm .04$. The correlation disregards direction and considers only the degree of an editor's affect. And as having some relation to such a matter, it deals with the varying preponderance in an editor's community of the distribution of affect directed toward one candidate over the distribution of affect directed toward the rival candidate. It is not here considered that the balloting of an editor is necessarily the same as the attitude expressed in his paper; hence the correlation probably does not have meaning in terms of the affect of the editors upon their community. More likely, it has meaning in terms of the affect of a community upon an individual strategically placed in that group. It would seem that there was a tendency for the editors to take a position that was stronger as the division of opinion in the community was closer.

Of all the correlations tested with data taken from the editors' poll, the one which yielded the highest coëfficient was that which was limited to the treatment of the degree of pro-Hoover editors' affect toward their chosen candidate in cases where favorable affect for Roosevelt was preponderant in the community, as told by the *Digest* poll. The coëfficient of this correlation was $-.33 \pm .08$. Of course the higher probable error offsets the significance of the measure of this relationship. Other evidence, however, has indicated the probable reflection in the affirmative balloting of the pro-Hoover editors of general disfavor toward the Republican candidate. Evidence at this point shows that the pro-Hoover editor opposed

[18] In this connection, it may be of interest to note that the Pearsonian coëfficient of correlation between the proportion of balloters favoring a candidate in the *Digest* poll and the proportion favoring a candidate in the official vote of November 8 was $+.650 \pm .030$, when the data was classified by intervals of five per cent. The coëfficient was $+.598 \pm .034$ when the data was classified by intervals of one per cent. These correlations treated only the proportions from cities involved in this poll and for which the official returns could be secured. Correlations reported in the text were based on the finer classifications.

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by majorities in his community evidenced greater relationship between his affect and the distribution of affects in his community than did any other combination of editor and community. And it necessitates the added comment that such possible reaction on his part was greater as the division was closer, but against him. All of these correlation coëfficients are, however, relatively low. This was to be expected, for there are many factors involved in a political campaign.

This description of the opinion of a most significant group could have been enhanced had it been possible to compare it with similar descriptions of the opinions of other groups and with opinions expressed during other campaigns. It would have been particularly enhanced if it had been possible to conduct the poll at two different periods, early and late in the same campaign. These are descriptions that the future can add.

HERMAN C. BEYLE.

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The Political Machine of New York City. The purposes of organized society in New York City, as in every metropolitan community, are made manifest through groups. By no means exclusively political, these purposes are social, cultural, and economic; they are expressed as objectives of individuals identified with each other by having common national and racial origins, common religion or residence or partisan affiliation. The articulation of these purposes is accomplished through group representatives who, in one way or another, acquire power over their fellows. Relationships between individuals composing these groups are of two kinds: vertical and horizontal. In each vertical group, there is a hierarchy of power, with the few at the top of the pyramid exercising authority over those below—authority that is never unlimited, but always dependent on the observance of established modes of behavior and the recognition of sudden shifts of opinion. The horizontal relationships between the officials on comparable levels of the various vertical groups are normally cooperative in character; but in certain cases they are combative. The theory of the party system requires, for example, the leaders of the parties to contend with each other for the support of the marginal voters. All of the individuals composing these groups are humanly frail and uncertain in their loyalties. Consequently, the equilibrium of forces just described is often disturbed by revolt within the vertical associations and by the constant re-formation of alliances among the horizontal groups.

It is not within the province of this paper to discuss the methods whereby captains of industry and finance, pillars of society, cultural leaders, or professional advocates of nationality group-aims achieve their positions of dominance. Techniques of acquiring power differ somewhat from group to group. But the political leader is especially unique in that

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it is his function to subordinate the interests of all groups to the public welfare. This is a difficult task, and the politician's temptation to secure his own interests in advance of those of his fellow-citizens is often too great to be overcome. When it is suspected that public ends are regularly subordinated to private aims, the politician comes to be known as the *boss*, and the whole complex of leaders, rewards, modes of behavior, and relationships by means of which the few profit at the expense of the multitude is designated "the system."

New York City is a vast aggregation of polyglot peoples with diverse interests and uncoördinated wants. There are one city government, five county governments, five borough governments, and various local judicial and administrative districts. Above these rise the state and national governments. Hundreds of officials are elected annually, and thousands of positions are filled on the recommendation of the party leaders. With a budget second only to that of the United States government, millions of dollars pass through the hands of men whose primary obligation is to the party organization. Of course, party control over the distribution of jobs, the award of contracts, and the floating of bond issues has been partially checked by the introduction of such administrative reforms as the merit system, sealed bids and fixed specifications, and state limitations upon fiscal policy; but ways and means have been found for avoiding these restraints and maintaining the illusion of partisan control.

The Democratic party has, with a few notable exceptions, controlled the government of New York City for over a century. It has converted this historical priority into a permanent advantage over the Republican party, which is saved from complete extinction by the circumstance that for over fifty years it has been helped by friendly hands at Albany and at Washington. The state legislature has rallied to its aid with timely investigations of New York City government, and the federal patronage has enabled it to support many of its workers. This has not proved adequate, however, and the party has been forced to accept occasional assistance from its rivals, with consequent loss of morale.

The five county leaders of the Democratic party are ordinarily entrusted with the responsibility of making final decisions governing public policies as well as party strategy. At no time in its history has the Democratic party permitted itself to be ruled by one man. Power is syndicated. Each of the five leaders is surrounded by a coterie of advisers—district leaders, public officials, and prominent citizens. Several of the latter are consulted so regularly that they might be known as councillors. When important questions of public policy are involved, such as transit, public improvements, and financial questions, it is they who are the real rulers—not the officially designated party leaders. It is further true that power fluctuates among the county leaders. At present, it is said that Mr.

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McCooey and Mr. Flynn, the county leaders of Kings (Brooklyn) and Bronx, respectively, exercise more authority than does Mr. Curry, the New York county (Manhattan) leader. During the greater part of its history, however, the Democratic organization in the latter area has controlled the entire metropolitan region. At times, it has even won mastery over state politics.

Because of its long association with the Society of Saint Tammany, or Columbian Order, a benevolent and fraternal society, the Manhattan organization has been known as Tammany. This association has served as the connecting link between the various county units, and also between party leaders, public officials, and councillors. The power exercised by the Tammany chieftains rests on a very simple basis. The exponents of the aims of those vertical groups to which we have already referred learn from experience that their own selfish wants, as well as those of the citizens whom they represent, are satisfied more readily by treating directly with the Tammany leaders. They approach the bargain-counter with the funds, votes, and good-will of their organizations. In exchange for these commodities, the Tammany leaders offer lucrative contracts, positions of prestige, and a host of other favors. Elected and appointed officials of the local governments yield the disposition of these favors to the bosses because they are under obligations to them for their jobs. Even the Republican officials, elected in opposition to Democratic candidates, reciprocate because of the superior advantages enjoyed by their rivals. In this fashion, the circle of relationships established at the top is completed. Revolts occur when the rewards are distributed unevenly.

The county leaders are elected by the assembly district leaders, of which there are 76 in the entire city. With certain exceptions, there is one of these assembly district leaders to each assembly district. These men support the candidate for county leader who gives the best assurances of satisfying their own demands. Nearly all of them are sustained by sinecure "exempt positions," although a few are required to stand for election to such offices as alderman, state senator, or congressman. They hold their positions as assembly district leaders (elsewhere known as ward bosses) through their ability to control the primaries and to return large majorities in the general elections.

Like the county leader, once an individual achieves status as a district leader, he is fairly secure. A few have been ruined by excessive cupidity or by ignoring the emergence of powerful groups. Formerly, the Irish were in the ascendancy; however, the increase in the number of Jewish and Italian citizens is already beginning to assume such proportions that in time, it can safely be predicted, leaders representing these nationality groups will supplant the Sullivans, the Perrys, and the Hasenflugs—all chieftains of the old order.

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In many ways, the district leader is to the district what the county leader is to the county. Like his superior, he renders decisions on questions concerning his jurisdiction with the aid of a group of advisers. In every district club-house there may be discerned a group of men who are regularly deferred to by the captains and the ordinary workers. These are the marshalls—the confidantes of the boss. Occasionally one of them rises above the boss and takes the sceptre away from him; others are content to sit behind the throne and pull the wires.

The relationships between the county leader and the district leaders, as between the latter and his lieutenants, vary from place to place. In Queensborough, the district leaders have frequently been on the edge of revolt. At the present time, the county leader there is but little stronger than his district leaders, and some of the latter are in turn hard pressed by the zone-leaders, regional lieutenants exercising authority over subordinate districts within the assembly districts. District leaders in Manhattan and in Brooklyn have frequently rebelled against the county leaders. Some of these insurrections have been put down by disciplining the district leader (depriving him of his job or of his patronage); in other cases, the district leader has been conciliated by the grant of wider powers than formerly enjoyed.

The recent investigation of government in New York City conducted by the Hofstadter legislative committee brought out the fact that district leaders have not changed greatly since the days of Tweed. Their methods are more refined, and they accomplish their purposes with more regard for the letter of the law. Most of the incidents enumerated below were revealed by Judge Seabury, the eminent counsel to the Hofstadter committee. Other charges developed out of a number of other investigations beginning in 1927 with that into the conduct of the borough president's office by Maurice Connolly, Democratic leader of Queens county. The following statements are made without reference to particular individuals, and are offered as illustrations of the improper use of power by political bosses:

1. A district leader was indicted for accepting a bribe of $10,000 from a candidate for the office of city magistrate. He was not convicted. 2. A district leader was removed from public office for his failure to account for bank deposits far in excess of his salary and of other income which he was able to explain. 3. A district leader was indicted and convicted for discrepancies in his income-tax returns, following an unsuccessful effort to remove him from public office for accepting unauthorized gratuities. 4. A district leader was charged with permitting gambling in his club-house; another, with permitting book-making to take place in the club-house; a third, with failure to prevent a murder from occurring in his club-house; a fourth, with allowing unsavory characters to loiter in his club-house; a

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fifth, with permitting a city magistrate to be assaulted in his club-house; and a neighborhood leader in Richmond was charged with homocide. None of these men was convicted. 5. Strangely enough, not a single leader has been specifically charged with accepting protection-money from owners of "speakeasies" or houses of prostitution. Nevertheless, it has been broadly hinted that some of the unexplained bank balances of the district leaders might have originated in transactions of this kind. 6. A number of district leaders were charged with having placed their lieutenants in the magistrates' courts as chief clerks, and with conspiring to deprive magistrates of the right to decide cases coming before them. 7. Several district leaders were charged with having interfered with the efficient and economical administration of the city's services. 8. Nearly all of the district leaders holding public offices were charged with neglect of duty and irregularity in the conduct of their offices. 9. A number of leaders were charged with participating improperly in the profits of private transactions, the opportunities for which were afforded them because of their influence over the conduct of the public business. 10. Nearly all of the district leaders were charged with carelessness in the handling of campaign funds.

The above list might be extended almost indefinitely. The bulk of the criticism directed at district leaders appears to center about their ability to derive personal profit from their contacts with the officers of the government. In answer to this criticism, Miss Annie Mathews, a co-leader in the nineteenth assembly district of New York county, asserted that the leaders expended the funds, which they were able to collect because of their preferred political positions, on the poor of their districts; and she urged that district leaders be relieved of their official duties and be given salaries for the performance of their party functions. The suggestion was not very cordially received by Miss Mathews' associates.

The modern district leader no longer maintains such close connections with the underworld as did his predecessor. Many of the bosses are upright men, no more sympathetic toward criminals than are the clergy, or the industrial leaders whose legitimate business activities can at times be distinguished from those of the racketeers only by the fact that the latter employ intimidation more recklessly. Many of the ward bosses are kindly men, not overburdened with intellect, but well-versed in the few simple formulas of urban politics.

One of the most trying tasks conceivable is that which is assumed by the conscientious district leader. Upon him falls the task of relieving the distress of dispossessed tenants, unemployed householders, tax-oppressed property-owners, delinquent youths, and embarrassed citizens hopelessly surrounded by the red-tape and the onerous restrictions of an archaic governmental system. Every evening he sits in his club-house

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listening to demands for relief; daily he makes scores of adjustments, over the telephone or by appearing personally before the officials who are able to afford him the relief he seeks.

If he stretches too many points at law in gaining his ends, he runs afoul the reformers. If he fails to satisfy his constituents, he is threatened by revolt from within the organization. And if the tasks imposed upon him and his colleagues prove too heavy, he is exposed to the onslaughts of his Republican rivals, ever ready to "fuse" with Democratic malcontents and independents to accomplish his destruction. The burdens imposed on the district leaders of New York City have been particularly aggravated during the past four years by the depression. One might think that the district leaders would in self-defense demand the amelioration of social conditions by the assumption of new social functions on the part of the government and by the reorganization of administrative machinery. A few have cautiously ventured to support moderate reforms, but the majority are too deeply imbedded in custom and tradition to save their own skins in this way.

The assembly district is divided into a number of election districts, each presided over by an election district captain. The captain is appointed by the district leader. It is the duty of the captain to "bring out the vote" on the day of election. His reward for this work is a well-paying public position, somewhat less remunerative than that given the district leader. Often, too, he is permitted to participate in the distribution of favors, most leaders making it a practice to "route" requests for relief through the captain. The captain's ability to command the confidence of the electorate rests on his intimate knowledge of their needs and deserts. It is the favorite boast of the Democratic captain in New York City that he "works 365 days in the year" and that he knows every man, woman, and child in the neighborhood. Since there are approximately five hundred families to an election district, this is a large order. As a matter of fact, only a few captains are at all acquainted with their constituents. They rely on habits of party loyalty, and on the conversion into partisan regularity of the social values generated in the clubhouse and at the various social affairs conducted under auspices of the party organization. The officers of the clubs, of which there are as many as 20 subsidiary units in certain districts, are held accountable for the entertainment of the people —no small item in a city like New York, where social hunger is fierce in its intensity. The efforts of these officials supplement the electoral activity of the captain, who is further aided by his lieutenants, the district members of the county committee.

The county committee has no will of its own; it is really no committee at all; it is hardly more than a convention of "yes-men," too cumbersome to do other than ratify the decisions of the executive committee, which

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is composed of the district leaders. The latter are conspicuously placed on all committees—state, county, and auxiliary. They have themselves chosen as delegates to national, state, city, judicial, and district conventions. Wherever there is power to render decisions, they are to be found; and they fill the positions on the county committee (of which there are over thirty thousand in the city) and on the various club committees with citizens who enjoy holding these empty honors.

The most cohesive force within the organization is the sense of group loyalty. The party leaders are indefatigable in their efforts to nourish this feeling—with, it must be acknowledged, remarkable success. The long association of Tammany Hall with the government of New York City, reaching back to the time of Aaron Burr, has imparted to it a vitality which has enabled it to survive scores of temporary reverses. The very disorganization of social life in New York City affords the Democratic party leaders opportunities for distributing "special advantages." In a social audit which would balance contributions against rewards, these advantages would cease to have any significance. Each citizen obtains that which he most desires. In practice, this theory does not work out so beautifully: a small group within the large group obtains the lion's share of the spoils. They go unrebuked because New Yorkers have become accustomed to the institution of priority.

The organization of the Republican party approximates that of the Democratic party. For the majority of the regular Republican voters, the rewards of partisan fealty are small; the minority, who occupy positions of power in the collateral vertical organizations of finance and industry and property-ownership, are contented with the dominance of Tammany Hall so long as their own selfish economic and social prerogatives are not jeopardized. They still their consciences and justify their continued affiliation with the Republican party by uttering periodic futile protests and by masquerading as apostles of reform.

The religious, educational, and cultural leaders of the city tolerate the rule of Tammany Hall because they fear the loss of their own prestige should they provoke the politicians to retaliation. Deep, hidden historical forces, such as the identification of civic loyalty with party fealty, the myth of Tammany charity, the selfish desire for special favors, and the blind faith in New York's destiny—all these help sustain the control of Tammany over New York City's government. While it is true that the assembly district leaders and the election district captains are key figures in the organization of Democratic voters, they would be powerless without the coöperation of prominent figures in the sphere of merchandizing, industry, and finance. Thousands of others subscribe to the same theories of social action and political regimentation as do they—theories which are mistaken in the sense that men tolerate conditions which could easily

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be improved by the application of a little intelligence inspired by loftier ideals.

ROY V. PEEL.

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Party Organization in Philadelphia: The Ward Committeeman. "They asked me my party; I told them Republican. That's Sam Lit's party, ain't it?" The speaker was a small, dark-visaged young man. He had addressed his question to Mr. Lit's partner on the ward committee in the first ward. It was the night of registration day, and the young Italian had just registered. Not only were the genius of the Republican party, its traditional issues, and the great leaders from Abraham Lincoln and Theodore Roosevelt to Herbert Hoover obliterated, or non-existent, to him, but the important local issues of the impending (1931) mayoralty and councilmanic campaigns as well. The one thing in the party process that mattered was the personality of Sam Lit, the ward committeeman. This potential voter is one of the thousands in America's third city that illustrate the general statement: "We cannot be much interested in, or moved by, the things we do not see. Of public affairs, each of us sees very little, and therefore they remain dull and unappetizing until somebody with the makings of an artist has translated them into a moving picture. . . . Being flesh and blood, we will not feed on words and names and grey theory."[1]

The "organization" has artists, dealing in pictures and symbols; but those appeals are for wider areas and more independent sections than Sam Lit's river ward, which was once the home of all the Vares. Sam deals in something more substantial than symbols. He does favors and helps his people obtain "bread and butter, bacon and beans"—except that a majority of his constituents do not use bacon. He knows what they do use, and he is so helpful and friendly in satisfying their needs that a controlling number of voters in his area may unconsciously say: "The politician is my shepherd, I shall not want."

Philadelphia city and county are coterminus. The area is divided into 50 wards of unequal size and age, and each ward is subdivided into a varying number of divisions—smallest electoral units which in New York and Chicago are called precincts. There are, all told, 1,280 (formerly 1,566) of these divisions, and all of Philadelphia's 2,000,000 people live in one or another of them. In every even year, the party members in each, in a direct primary, elect two committeemen to membership on a ward committee.[2]

[1] Walter Lippmann, *Public Opinion*, p. 161.

[2] The ward leader is so powerful or resourceful in certain wards that he can usually determine the outcome of a committeeman election. That is, his support or op-

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(There is only one party organization in Philadelphia; the Democratic end is part of it under another name. Successful Democratic candidates are those who have the support of the Republican organization as well as that of the paper organization of the Democrats. If minority representation were not required by law, viz., for magistrates and county commissioners, the Democratic party would probably have disappeared from the ballot. However, if Farley gives enough patronage to Philadelphians who do not take orders from Vare, a rival organization may be created.)

Although in the contemplation of the law, two committeemen are elected in each division, in reality the winning committeemen usually stand as one man or as a team—one the leader, the other his man Friday. In the April 26, 1932, election, the winning committeemen received an identical number of votes in 133 divisions, and the same vote but one in 142 other divisions. Out of 1,566 divisions then existing, the winning division leaders received practically the same vote in 275 instances; in 18 per cent of the contests, the vote was either controlled or the two committeemen stood as one man. The latter is more often the situation, although both explanations of what happens contain an element of truth. Many strong leaders prefer weak men as running mates; they want men who will carry out orders without argument. In certain independent wards, where leadership is less unified, however, two men of different factions may be elected to the committee, and the organization is thereby weakened.

These men, and women too,[3] are the unheralded contact men in politics; they are professionals doing highly specialized work; they are the foot soldiers under the generals that win; in fact, whether a general wins or loses in an electoral war in Philadelphia depends nine times out of ten on the number and strength of the ward committeemen in his army. They

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position will elect or defeat a candidate. There were six contestants for the ward committee in one division in an industrial ward. The leader called five of the contestants into his City Hall office and asked them to withdraw: "Now ain't the time for you to run; besides, if you get it, I won't recognize you. Drop out quietly now, and I'll do something for you later." Four dropped out and the fifth was beaten. However, in the more independent wards, contests for seats on the ward committee are determined largely by the candidates themselves.

[3] There are some women among the party organization workers, and in 1932 seven were elected to the ward committee—four in a river ward, one in an old Penrose ward, and two in the independent Germantown sector. However, as in the case of the men, one of these women is on the committee in name only. Her brother, a rather old man and the occupant of a position under the city charter, is the real committeeman. He makes a perfunctory gesture toward the charter provisions that deny a municipal employee the privilege of engaging in politics; he engages in politics just the same, but under his sister's name. It may be added that this small group of women reflect the constituencies that they represent exactly as the greater number of male committeemen do.

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are the missionaries who do not try to reform people, even as an afterthought. They are the "sales agents" that not only cover, but live in, each one of Philadelphia's 1,280 "sales territories."[4] They are the individuals about whom one of the organization's shrewdest members (in 1926) said: "The genius of the success of the Republican organization in Philadelphia is personal service to the individual voter. . . . We did not give out a dollar more to the Republican city committee when Mr. Vare was a candidate than we would if there had only been the committeemen to elect, because, with all due respect to the great office of United States senator, the Republican organization of Philadelphia can live without a senator, because we have had that experience a good many years, but it cannot live without the ward committeemen; and we have almost 3,000 ward committeemen to elect, and that is of the first and vital importance to the organization."[5]

In two words—*personal service*[6]—this man has explained why the Philadelphia organization is one of the strongest of its kind in the world. Wil-

[4] See Claude E. Robinson, *Straw Votes*, Chap. 1.

[5] Testimony of Harry A. Mackey, ward leader and former mayor of Philadelphia, before special committee investigating expenditures in senatorial primary and general elections, United States Senate; Senate Resolution 195, p. 575.

[6] To illustrate what is meant by personal service, I submit the following record of telephone calls asking for a committeeman's help during a seven-day period. This committeeman's constituents are mostly Italian laboring people, many of whom own, or partially own, their homes. The record was kept for me by the wife of the committeeman—a former student of mine at the University of Pennsylvania. He is now an attorney. This means that he is called upon by the other committeemen in his ward (when legal services are required) as well as by his own people.

Tuesday, March 23

Call from Fred Harkins. Case in his division—horse killed by truck; hearing next morning before Magistrate X.

Kavellara called. Accident—boy struck by car—he lives in X division; the hearing to be at police station at 8 A.M. next morning.

Mussa called for advice about marital troubles.

Baronet called to get help from the welfare committee; his family without food.

Russilla called to get help from welfare committee; has no money for rent.

Dr. Trollo asked for advice about a judgment on his property.

Celia: help from welfare—shoes for children.

NiTillo (another committeeman) called to see about getting a man in his division out of jail.

Florano called for advice in order to get help from welfare committee.

Savinsky sent by X (another committeeman) in an accident case; hearing to be Wednesday morning.

Wednesday, March 24

Tarpillo: officer in trouble, summoned before police board.

Mussa called again in reference to the difficulty he is having with his wife and another man.

Marie Zeldna: Husband beat her, wants warrant for arrest.

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liam S. Vare, the leader of the organization, explained its strength in very much the same terms: "The division leader (or ward committeeman) must stay close to those that need him. He must be on the job to help them. The average division leader can always be found at a certain place—the corner cigar store, the drug store, or some such place. He goes there every night. When the voter wants him, he knows where to find him."[7] Nor do they limit themselves to the corner stores; often their homes are like clubs or offices. A dozen faithful constituents may come in a group, or there may be a steady procession—a queue of faithful voters in trouble. Others may pay hurried calls on their leader before breakfast. Day and night the telephone rings, for the leader or his family to answer. One leader's wife told me that it was a dog's life; but other wives, and the majority of them, really like it as well as their men do. They enjoy the feeling of power that comes to those who are indispensable to a community.

These division leaders are men of varying characteristics, for they are nearly always prototypes of their communities.[8] In a negro division, one or both of the organization leaders are apt to be colored. The Italian, German, Irish, Jewish, and Slavic sections choose men of their own sort;

Thursday, March 25

Two men called at 7:30 A.M. asking for Mr. V. (the committeeman), then asked for his office address; said they must see him at once.

Dr. Triflis: arrested for assault and battery; taken to magistrate, and V. had him released on his own bail; hearing next Tuesday morning.

Sam the grocer called in reference to a bad check he gave Mr. V.

Friday, March 26

Zaluski called about hearing the following morning. (V. had him discharged.)

Turkin called to get help from welfare committee.

Warner called about a liquor case in which he was involved; called again at night.

Saturday, March 27

Was not at home.

Sunday, March 28

Dr. Jenkins (another committeeman) called in early morning about a case in his division. (V. went to see him and a party organization man named Fred.)

Rucco called to get the assessment on his property lowered.

V. called committeeman X. about a magistrate's case for one of his voters.

Monday, March 29

Jim Wallace came to see about settling a case (a voter in Dr. Jenkin's division).

Fallatina called about getting release from arrest because of non-support.

Celia: little boy came about help from welfare committee.

Nun came: gave her a pair of shoes and two pair hose.

[7] Personal interview with William S. Vare at his home in Atlantic City, August 19, 1931.

[8] For intimate studies of successful ward committeemen or division leaders, see my articles: "Close-up of a Ward Politician," *Harper's Magazine*, March, 1933; "Tony Nicollo," *Yale Review*, Summer, 1933; and my book, to be published by Harper and Brothers during the coming fall.

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so do the highly cultured, well-born communities, on the one hand, and the slum districts on the other. I have been at the homes of foreign-speaking division leaders and have heard no word of English spoken, except to me, for hours at a stretch. The foreign-born voter tells his troubles to his countryman in his native tongue, for he knows no other. His countryman helps him in the name of the Republican party; its platform may be meaningless, its ballot may be incomprehensible, but its division leaders render personal service that counts. It will take something more substantial than talk to wean these citizens from the organization. The party principles that these voters are most interested in are the loaves and fishes.

The occupations of party committeemen, like their personal characteristics, are nearly as varied as those listed in the city directory; in reality, the little fellow in politics is likely to have his name in every directory save one—the social register. But even if his own name is not in the register, nor his ward leader's either, he may yet be represented in it by the man who is responsible for his ward leader. Each one of the 50 committees contains one or more attorneys among its members or close friends. In a river ward, there will be one, two, or three lawyers on the committee—perhaps two to five per cent of its membership; in such independent wards as the 22nd, 42nd, or 46th, the percentage of lawyers on the committee is greater—perhaps 10 to 15 per cent. Other committeemen are barbers, storekeepers, salesmen, advertising men, plumbers, laundrymen, school teachers, gamblers, musicians, bootleggers, doctors, undertakers, chiropractors, dentists—and I know one veterinary surgeon (but horses are few, and he gives all of his working hours to caring for the "wants of his people"—the division leader's definition of politics).

Of course, whether or not they have a profession, trade, or outside jobs, nearly all of the committeemen in the organization wards are on the public payroll; in the independent wards, the best producers are attached somewhere in City Hall too; and the others continually ask their harassed ward leaders "How long, how long, Oh Lord, must I wait before I too am recognized with an appointment?" There are not enough jobs to go round; the leader's incentive for continually nursing his constituency along is never lacking. Ed. Vare once said: "You take care of your people, and your people will take care of you."

The organization is built on the assumption that a politician is trained for any job in the public service that he can get. This explains the variety of positions in the service held by committeemen. They range from janitors in City Hall to congressmen in Washington. There are more ways, however, of deriving financial benefit from one's activity in politics than merely by being connected with the public pay-roll. For example, in the—ward, all of the ward committeemen except three have jobs in City Hall. One of these I shall call Snake Gleason; he has a part interest in a brick

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company, and through the influence and help of his ward leader, he has sold the city and the school-board many bricks. Mr. M. owns a cigar store, and manages it as well; he has been a committeeman for more than 30 years, and has not asked for a job. Recently, however, his son was given a pleasant position in the City Hall Annex at $5,000 a year. Henry Bottom is an attorney. I quote his words as to what politics means to him: "I have received eight masterships (a mastership pays $100 for a few hours' work in a divorce proceeding) since the first of the year, but I have had only one from Augie (the ward leader). I got the rest through judges that I know myself. I do not want Augie's masterships. I am making between $4,000 and $5,000 a year, and I can stand on my own feet. The organization is not feeding me; besides, when I have a case with a $1,000 fee, I want to be able to go to Augie and say, 'See here, I want you to speak to this judge for me,' and Augie will do that, and I will be able to put my man on probation. You see, this is worth a lot more to me than $100. Not long ago Augie asked me if I wanted a couple of masterships. I said, 'No, there are too many lawyers who need it that are on your neck—give it to them.' He said, 'That is very nice of you, Henry.' " (In addition to masterships, there are a number of other sinecures for the legally trained committeeman, such as auditorships and receiverships.)

The party organization is not equally strong in all sections of the city; its strength in any given neighborhood is likely to be determined by the degree of want, or the quality of leadership. One could go far, for example, in discovering areas in which the party organization is particularly strong, and other sections in which it is moribund, by merely examining the several sections of the city from an airship. Houses surrounded with green lawns probably contain independent or semi-independent voters; the same is often true of houses in the most recently settled wards. Germantown, in the 22nd ward, is old, but the houses stand alone, and so do many of the voters in them. The 42nd, 38th, and 34th wards are more recently developed, and may be classed as semi-independent. All of the above wards, save the 38th, which touches the 22nd and 42nd wards, are on the extreme edge of the city. All contain the better residential districts, and only to a lesser extent, districts and neighborhoods in which colored, foreign-born, and laboring people live.

In the foreign-born and colored districts, the organization is almost certain to be strong and efficiently manned. Where there is want (as there is certain to be in the poorer districts), the party organization helps satisfy it. The human equation also enters, of course; an indefatigable party worker produces results wherever he is, be it a silk-stocking district, silk and rayon, or cotton. An economic interest, a tradition, a campaign appeal, or a compelling personality may also cause a division, or a group of divisions, to follow the organization ticket. Because of these less calcula-

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ble factors, the bird's-eye view would not be one hundred per cent accurate in locating all of the areas in which the party organization is strong. Nevertheless, it would be substantially correct.[9]

Speaking generally, the strongly controlled wards are the first twenty; this is true of many cities in addition to Philadelphia. These are the oldest wards. Here the most cultured people once lived, but now they have gone to the outlying wards or the suburbs. Business and other commercial enterprises flourish where residences once stood, and on the frieze of this business zone one finds apartments and rooming houses, "the band-box area," and vice. In this old section, one also finds an undue proportion of the foreign-born, colored, wage earners, and floaters. The objective facts indicate that this is the core of the party organization's strength. And it is. If a few of the other wards are nearly as completely under organization control as these first twenty, it is the result of either one or both of two factors: (1) the personality and work of some great leader like Blakely McCaughn, Dave Hart, Billy Campbell, Johnny Dugan, Sheriff Weglein, John McKinley, or Clarence Crossan; or (2) the sentiment and associations of the people of the newer wards. For example, what was once the first ward has been divided into the 26th, 36th, 39th, and 48th wards. The organization is correspondingly strong in all of these newer wards, save the 26th, where at present it is weak. This weakness is temporary, and the result of dissension among the committeemen and ineffective leadership at the top.[10]

[9] Of course, the observer in the figurative airplane would not be infallible. The geography of the area and the relative wealth of its people are persuasive, but not always controlling, factors in determining strongly organized controlled divisions and wards. The strength of the organization is not confined to, although it is most certain to be found in, slum areas or divisions where the people are foreign born, colored, or living on low economic planes. However, the human factor must be considered here, just as it cannot be ignored in the sale of life insurance—an energetic and resourceful division leader may establish absolute control in a district that might normally tend toward independency. His problem is more difficult, but his results may be comparable to those obtained in some of the most effectively manned divisions of the first twenty wards. Sammy Dunbar's division is a case in point. Mr. Dunbar is chief clerk of the Mercantile Appraiser's office and former chairman of the 46th ward committee. He is short and slender, with dark hair and eyes, and a smooth talker. He was formerly a secretary to Penrose and then a key man for Grundy in Philadelphia, and now Vare's choice (June, 1933) for the City Committee. In five recent intra-party fights, he carried his division for his faction each time. His division borders on Cobb's Creek Park, at the extreme western end of the 46th ward, and his people are substantially well off. The number of Sammy Dunbars in Philadelphia is limited (Clarence M. Freedman in the 34th ward is one), but wherever one is found he is likely to be the controlling factor in his area.

[10] The division leader does not stand alone. He necessarily is a member of a ward organization that is headed by the ward leader. Whether or not the ward organization is strong or weak may depend on the character of its general leadership rather

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Above the ward committeeman stands the ward leader. The leader is the ward boss; his position in the ward is not unlike that of the dominant ward committeeman in the division. The relationship between the division leader and his boss has something in common with that existing between the members of a department in a university and the department chairman. The analogy would be more complete, however, if the chairman taught no classes and gave all his energy to the dean on one hand and the department staff on the other, seeing students only in some unusual cases. He is a natural phenomenon and a myriad faceted figure in the life of his community—a social worker, legal adjuster, good fellow, dramatist, diplomat, psychologist, and if he is one of the strong ones, a personnel manager, business man, and banker as well.

The leader controls his ward through jobs for the vote producers, favors to the voters (these favors are usually given through the leader of a division in order to maintain the lesser leader's prestige), and his own personality. According to the viewpoint of the committeemen, the *sine qua non* of a ward leader is the ability to produce jobs. As long as a boss can keep his men on the public pay-roll, he is practically invincible. Personality, political judgment, energy, and resourcefulness count greatly; for the more gifted the leader, the larger place he will have in the party councils, and consequently the more jobs he will have for his lieutenants.

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than on its component parts, i.e., the individual ward committeemen. If the leader is a man of discernment and truth and has the desire to strengthen his organization, he is almost certain to have a fine spirit of loyalty among his men, true morale, and a group normally invincible, in peace or in war. The percentage of strong producers on his committee will be high; these individuals have every incentive to do their best. They know good work will be recognized. Such conditions obtain in the 24th ward, which is an excellent illustration of what one man—Blakely McCaughn—did during the period of his leadership to make a weak, unstable ward solidly organization. A near-by ward with many of the same nationality and religious groups, economic and cultural classes—one as easily controlled for the organization as the 24th—is weak and unstable in primaries and elections. I think that this is due to the character of its leader. He is not a man of his word—his promises are easily given and broken. He is so definitely a man of sporting proclivities that his attention wavers from politics. His appointments are frequently given for personal, rather than political, reasons; many men—I know four and have information concerning others—leave this ward committee and go where their good deeds will not be forgotten. Because morale is lacking in this organization, less than 20 per cent of the committeemen are strong producers—that is, capable of carrying their divisions in any fight. The average committeeman may say: "Why should I work and serve the people? I get no credit—the leader appoints a relative or a friend to the City Hall jobs." The ambitious committeeman here can attempt to align himself with some force outside of his ward, or he can move away to the ward of a great leader, or he can just drift along. The statement that everyone in politics is influenced by everyone else in politics is particularly true in the division leader-ward leader relationship.

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Many of the ward leaders are on the City Committee (the Republican central campaign committee)—although some of them, like Register of Wills Billy Campbell and several judges place straw men on it in their stead. Were this not the case, a meeting of this committee would be a gathering of the most powerful organization men in Philadelphia. In theory, this is the governing body of the party, but in reality some of the members have no more power to determine important policies than I have. William S. Vare and several other important leaders decide the big questions.[11]

[11] Each year, the members of the ward committee, in each respective ward, elect a member to the City Committee. Membership in the Committee often, however, comes merely by appointment by William S. Vare or other powerful leaders in the organization, rather than by independent expression of opinion on the part of the ward-committeemen, who are either job-holders, relatives of job-holders, or men who hope to obtain a job. When Vare says, "There is your leader—elect him," the ward committee follows orders.

The last time that the ward committees met was on June 5. The news items of the following day are typical of many of these annual meetings. The following quotation explains much: "Republican committees in the 50 wards of the city met last night to elect members of the City Committee, and the Vare organization made a clean sweep. The outstanding fight centered in the 46th ward, where William S. Vare crushed former Mayor Harry A. Mackey. He elected his hand-picked candidate, Samuel Dunbar, over Councilman Maurice E. Levick, a Mackey follower, by a vote of 91 to 56. Both sides made charges of the use of money, and both sides bartered jobs in an effort to win votes. The Pinchot administration made an alliance with Mackey, and it was said last night that 12 state jobs had been definitely promised to committeemen who voted for Levick in defiance of threats that they would lose city or county places." *Philadelphia Record*, June 6, 1933. Governor Pinchot is "on his way out." Yet if he had supplied more jobs, or if Mackey had still had the mayor's patronage at his disposal, the outcome might have been different. A committeeman's future often depends upon his ability to pick the stronger leader.

Mackey and Vare are now enemies, although in 1926 Mackey made Vare United States senator, and in 1927 Vare in return made Mackey mayor of Philadelphia. Mackey has been leader of the 46th ward and until this year he, or his man, has been on the City Committee. Last year, he put Councilman Levick there. Vare wanted to weaken Mackey by preventing his follower from returning to the City Committee. He deposed the councilman in a public rebuke given at a 46th ward "harmony" meeting four days before the official choice was made. He did this in spite of Levick's repudiation of Mackey and declaration for "the big fellow." The councilman said: "I've been a member of the ward committee nearly 20 years, and I've been in the council ten years. I never digressed one iota from the principles and policies of the Republican Campaign Committee. *When I say that, I mean Mr. Vare, the Vare I've followed and been for all the time.*" Levick then introduced Vare; the room rang with applause. The leader is physically weak, and his voice is often inaudible. He made a few feeble remarks, and his son-in-law, Dr. Shaw, read a statement that Vare, or some one working for Vare, had prepared earlier. Pertinent extracts are: "After hearing Mr. Levick's statement, I am satisfied it is not to the interest of the greatest number of the committeemen of the ward or of the organiza-

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If this brief statement suggests something of the fundamental nature of party organization in Philadelphia, I have attained my present aim. A more complete description of the men and forces that give body and direction to this phase of the political process, as well as a critical evaluation of it, is more than can be compassed within present limits.

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tion. [Of course, the writer of the statement prepared it before he had seen or heard Councilman Levick's speech.] Mr. Dunbar is the candidate for the office, *and I want to assure the committeemen who are officeholders that they are in no danger of dismissal should they cast their votes for him.*" (*Philadelphia Record*, June 6, 1933.) Italics mine.

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The Potential Incentives of Public Employment. Due to the necessities of post-war reconstruction, and owing also in no small part to the deflation of public confidence in the private-initiative-in-industry presumption, it seems clear that greater nationalization and municipalization will occur in those countries where such a development is not already well-advanced. Where, as a result of revolution and dictatorship, extensive economic services are already publicly owned and operated, the problems of public administration have become enormous and disconcerting. Satisfactory bureaucracies are not built in a decade.

How can the efficient administration of public services be secured, particularly when they are newly acquired economic functions? This question already looms large, and doubtless its importance will become greater in countries like Great Britain and America, where rationalization schemes are more or less in their infancy. Going one step further, the central problem of efficiency is the existence and maintenance of salutary incentives among the personnel who will man the new machinery of administration. The question has not received the attention it deserves. Certain economists, notably J. A. Hobson and R. H. Tawney, have come to grips with the issue in admirable fashion, but among those who espouse the science of public administration a great deal remains to be said and done.

Although only a gradual, partial socialization of economic services has been envisaged, hence making the question of substituting incentives for the profit motive obviously quite circumscribed, the whole problem of relative incentives commands constant consideration. This would be true if it were merely a matter of improving existing services. The truth of Mr. Hobson's observation in his book *Incentives in the New Industrial Order* should be a constant prick. He says: "The sterilizing influence of a bureaucracy upon the seeds of progress has passed into a byword."

Like all bywords, this one is probably exaggerated. In the United States, for example, very powerful and effective propaganda devices nourish and extend the attitude. The disclosures of the Federal Trade Commission's investigation of public utility "education" is only a sample of such ceaseless activity. But, of more immediate importance, it may be possible to vitalize the admitted shortcomings of the public services by paying more attention to the human factors, especially to the problem of incentives.

The assumptions which will here be developed may be generalized as follows. First, there should be, and can be, a mutation of old, inadequate incentives into new, more effective propulsions. Second, psychology is one of the most neglected fields of administrative betterment, and it is

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precisely in this realm that incentives play their part. Finally, the potency of right incentives will be realized, not automatically, but by skillfully devised training and direction.

The Present Status of Incentives. When Lord Haldane was asked by the Coal Commission (1919) how the civil service might best be improved, he replied that the most important factor is "atmosphere." His testimony (1919, Cmd. 359, pp. 1082–1091) emphasized the view which has only recently been taken up seriously in public administration, namely, that personnel factors clearly outweigh problems of organization, and that psychological considerations are an extremely vital part of personnel administration.

If "atmosphere," "state of mind," "*esprit de corps*," and "initiative" are psychological factors upon which depends success in operating the public services, serious attention should be given to the present state of personnel incentives. Observations made in the United States accord with Lord Haldane's conclusions relative to the contemporary incentives in the British civil service—they are not as satisfactory as they should or could be. This is due to a great variety of historical, economic, social, and political factors which are too complex to be examined in brief compass. Our attention must be restricted to "atmospheric conditions." The barometer reveals an ill-defined attitude instead of a clear-cut philosophy; the attitude is negative, not positive. What does this mean in concrete terms?

The American bureaucracy has very little collective pride, and hence individual pride of craftsmanship (Hobson's phrase) is a relatively unusual phenomenon. The attitude is largely a reflection of the idea which has been impressed upon the public, namely, that the civil service is the embodiment of mediocrity. Since there has been little effort to efface the misconception, it is perfectly natural that the American bureaucracy should be characterized by an absence of self-esteem. Resistance has been the key-note of its attitude. Legislatures have been niggardly, and hence it has meant a constant fight to improve salaries and conditions. In such a milieu, it is perhaps surprising that individual initiative and *esprit de corps* have fared as well as they have.

Civil service has been an avenue of escape from the more strenuous life. When it was easy to make money, it was usually the timid who sought the security of the service; since the period of unemployment, it has been largely those whom industry has dislocated. Despite the glaring failure of the profit-motive régime, and the more limited opportunities for initiative which are now presented to the younger generation because of the consolidation movement, it is too sanguine to suppose that considerations stronger than the profit motive have played any considerable part in propelling the average person's selection of the public service. It is use-

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less to expect other incentives until they have been more clearly defined. This must be followed by a program of training and education. Fortunately, it is not primarily a matter of replacing old incentives with new ones. Real hope of improvement lies in recognizing and developing the intrinsic and potent impulses which are latent in the public service.

The Potential Incentives of Public Service. What incentives are to be put in the place of the profit motive? How can the best men—men of brains, initiative, and imagination—be secured for the administrative services?

At the outset, it must be recognized that there are differences in types of work, in classes of workers, and hence in relative incentives. Our chief thought should pertain to the man of unusual ability and training, because his services are particularly vital to new economic enterprises. Can the service be made attractive to him? It is thought that it can be, for a number of reasons:

(1) The profit motive is undoubtedly over-rated. Mr. Hobson is clearly on sound ground when he states that most of our men of science and our professional classes are not actuated primarily by the desire to amass wealth. Moreover, since the separation of ownership and management, it is clear that the new class of "managers"—men of technical skill and initiative—cannot expect wealth even if they should desire it. They are the ones who are primarily needed by the public services, not the comparatively small group of bankers and business executives. In a program of partial socialization, the satisfaction of their nervous energy may still be found in the realm of private affairs.[1]

What has been said should not be interpreted as meaning that public employees will cease being interested in higher wages and greater opportunities for cultural and social advantages. This is wholly natural and highly desirable. Greater differentiation in salary than obtains at present should occur, in order that effort and ability may be given adequate stimulation. Furthermore, the remuneration of those who reach the top should be progressively raised until a standard of life can be commanded which will be a sufficient incentive to induce the most promising material to enter the administrative career. The good workman is worthy of his hire. This is quite a different thing from the preservation of the profit motive.

[1] "Nor should we hastily accept the libel on human nature that it is only under the perpetual stimulant of daily fluctuations of loss and profit that man will do his best work. . . . How few indeed of those who do the world's work do so under the conscious stimulus of constantly varying profit! Entrepreneurs have this stimulus, but the men they direct work for wages and salaries which are stable for long periods and only differ from those of a public service in a somewhat greater insecurity, which is destined to be reduced. And such leaders of industry do themselves an injustice when they consider that their own motive is only or mainly that of unlimited profit, as the best of them always show when they have the opportunity of creative work under different conditions." Sir Arthur Salter, *Recovery* (London, 1932), p. 213.

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Speaking generally, the importance of the profit motive tends to shrink for most groups of creative workers as other incentives, such as craftsmanship and popular prestige, are released into free operation.

(2) Pride of craftsmanship contains limitless possibilities. The importance of the satisfaction that comes from liking one's work and hence doing it well is rarely given the present-day recognition it deserves. The central position occupied by craftsmanship in the early stages of economic development is universally recognized. It is not rash to state that this same incentive may progressively be made to occupy its earlier position of primacy. Speaking of industrial incentives, Hobson concludes that if we would but remove the profit-making incentive, with the insecurity of wages and employment and the speeding up and bad workmanship which result, and put all the brain and manual workers on a truly functional basis as members of a skilled and useful profession, the result would be to evoke those interests of craftsmanship, that desire to do good work, which are withheld and wasted under the present system. The public service seems to fulfil the conditions precedent to Hobson's thesis.

Esprit de corps may be an intangible factor, but its potency should not be under-rated. As a matter of fact, Tawney, analyzing the totality of industrial incentives in *The Acquisitive Society*, concludes that a preponderance of them pertain to craftsmanship. For example, he mentions the customary standard of effort demanded; the desire for the esteem of the small circle in which one moves; the desire to be recognized as having made good and not failed; interest in one's work, ranging from devotion to "doing justice;" pride of craftsmanship or "morale;" and the tradition of the service.

These factors are more determinative today than one on the outside usually supposes. In 1927, Herbert Hoover, then secretary of commerce, issued a statement which appeared in the annual report of the United States Civil Service Commission. The work of the civil service, stated Mr. Hoover, avowed champion of individualism, compares favorably with that of any private enterprise in my knowledge, and that is as much praise as could be expected. He added this extremely significant observation, namely, that the spirit of the employees and their enjoyment of their work is superior to what one usually finds in private business. A fair-minded observer in Washington would corroborate everything that Mr. Hoover said. The corporate spirit which he noticed eventually produces traditions and atmosphere, and from these prestige is born. This suggests another potential incentive.

(3) The motive of distinction possesses a strong appeal. One of the principal reasons for desiring wealth is the resulting prestige which it usually commands. Few things, commonly, are desired more ardently than admiration. There is every reason and opportunity to reward this

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universal longing in the administrative services. Lord Haldane, speaking of his extensive experience in military and civil administration, told the Coal Commission that there is an incentive which is more powerful than any other with the best class of men, namely, to distinguish oneself in the service of the state. Public admiration and respect will draw out the best that is in a man. This impulse, if adroitly rewarded, should be ample guarantee that the most able men will provide the initiative, the judgment, and the temper which are so indispensable in case a great industry such as coal were to be publicly managed.

"Nationalized industries," states Hobson, "should be able to attract as much of these creative and progressive qualities from men who combine them with a keen public spirit and a high regard for such distinction as the public services can be made to afford." It has been proved that such leadership will respond in time of national emergency and distress. In recent times, public sentiment has unquestionably developed a greater willingness and desire to reward able and far-sighted administrative leadership. Hence the ground is prepared for such education and practical planning as may be needed to make this incentive more effectual.

(4) The potentialities of the "public service" appeal are impressive. A former postmaster-general of the United States, observing that civil service employees appeared to have a certain spirit of contentment with their work which is found infrequently in industry these days, attempted to find a satisfactory explanation. He concluded that the singular attitude found in the service is accounted for by the gratification which comes from the awareness of "working for all of the people." This mainspring of action may be called the "public service" incentive.

Some writers have been inclined to doubt if there is really much substance in this alleged motive. While admitting that it is frequently impossible to separate what may be selfish from what may be altruistic, they conclude that employees do not generally analyze their impulses anyway, and that such an incentive appears to be "sentimental."

Pragmatism will miss its mark if it belittles too greatly the rational character of individual conduct or if it under-rates the powerful effect of sentiment in the group equation. The patriotic appeal in time of war, the response of the Italian people to the corporative "myths," the force of the proletarian concept in Russia, and the growing power of "statism" in Germany should dispel any doubt concerning the propensity of man to embrace an ideal. William James revealed a profound truth when he showed that man insists upon escaping from his own ego, and that when he meets his alter ego in the form of the state he is almost always a helpless victim of the crowd impulse.

There is no use denying that such a force exists. It is undoubtedly present in a modified degree wherever civil servants congregate to carry

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on the peace-time affairs of the state. Speaking of the possibility of supplying men to run large public services, Lord Haldane went so far as to say: "There exists today a large class of men who combine the strongest sense of public duty with the greatest energy and capacity for initiative." It matters little whether one calls the impulse "public service," "public duty," "altruism," or "myth-worship." It is the task of public administration to harness this energy in such a way that salutary results will be achieved. This means that the thought content of the public service impulse should be developed along rational and constructive lines. The responsibility is a heavy one.

A bureaucracy which is conditioned to a blind worship of the "state" or of "nationality" is inevitably the pawn of the army and of the jingoists. Such a state of affairs certainly does not accord with Anglo-American traditions. Mr. Hobson stresses a very important point when he states that any public ownership or control should "be accompanied by representative self-government [of the employees concerned] adjusted to the character of the several industries thus nationalized." There is always danger in attaching mystical qualities to the state. The state and society are one. The state has no legitimate claims which do not accord with the best interests of society as a whole.

In addition to the nationalistic orientation, there is the extreme position represented in the "class" bureaucracy. This may be based upon Marxian principles, or, in a democratic country such as France, rest upon syndicalist moorings. The struggle of the organized functionaries to improve their condition may easily bring about the emergence of this narrow but wholly understandable alignment.

A third position, frankly a compromise one, would appear to possess more desirable prospects. Something tantamount to it has been attempted in Germany since the war. In place of the uncritical concept of "state," the emphasis is placed upon the "service." This is simply a means of emphasizing the craftsmanship and prestige values which have been discussed above, except that in addition it makes room for the element of corporate effort. The second ingredient of the formula is a democratizing or social factor: it is devotion to the "people," or what might be called the "humanitarian" impulse. Admitting that Walter Lippman and others have established the mythical character of the "public," it remains true that myths are potent and that individual sentiment and decorum have been proved capable of grasping the claims of brotherly feeling and respect. It is not by any means suggested that the factors are missing in the Russian ideology. But the view is hazarded that in just the degree to which the Soviet bureaucracy outgrows the narrow passion of class will the Russian state vouchsafe its permanent foundations.

It may be suggested that the "power" impulse is a necessary concomi-

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tant of the complex under consideration. Certainly the universal urge to dominate cannot be gainsaid. It is also true that a psychological satisfaction comes to most people who are identified with any organization which is large and powerful. There is a legitimate place for this claim as part and parcel of the prestige incentive. However, the potential Napoleon would hardly be expected to choose the administrative ladder as the surest way to the heights. Except in the nationalistic environment, and to a lesser degree in the military and police establishments, the desire to wield power may hardly be said to constitute one of the major incentives of the administrative career.

(5) The vocational appeal of security is universally applauded; but it has its drawbacks. The factor of security constitutes another reason for believing that public employment possesses incentives which are capable of a wide and lasting appeal. Since the break in the stock market and the rise of appalling unemployment, all classes have longed for security before everything else. The beneficial effects resulting from a secure future are generally admitted. For instance, an assured position usually develops in the individual a sense of personal responsibility, self-confidence, and self-respect, an increasing interest in one's work, and those social loyalties to the home and to other institutions which constitute the bases of growth and permanence.

Although retrenchment has hurt the civil service at many points, its relative security has unquestionably helped to attract widespread interest and admiration in recent years. This result is to be commended highly. Everything possible should be done to safeguard and further the two most indispensable features of civil service, namely, selection according to merit and tenure on a permanent basis. Nevertheless, the theories underlying the civil service have not reached perfection. Even the element of permanence appears to be subject to serious shortcomings. These defects are brought into a new prominence as one surveys the serious problems attending the administration of new economic services. There is a great need of careful thinking relative to the future of the security incentive.

It is doubtful if one should go as far as Lord Haldane, who says that over-security attaches to the tenure of office in most public services. If it is a matter of preventing incompetence, then the reasonable thing to do is to improve the methods of selection, not to jeopardize the non-political basis of tenure.

The real need of constructive criticism appears to center in the matter of advancement or promotion. Under the ideal system outlined by Tawney, "higher posts would be recruited by ability, not, as now in the civil service, by seniority, nor by what is worse, the favoritism common in private business." Lord Haldane gave practical expression to this idea when he commended the willingness of the Post Office to choose Number

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20 for his unusual ability and initiative when those higher on the eligibility list clearly lacked the necessary qualifications for a post demanding unusual attributes. Any personnel system which makes promotions depend upon the accident of birth will destroy morale by making it impossible for genius to overtake mediocrity. There is one aristocracy that Socialism will do well to respect, the inequality of initiative and capacity. When the individual fails to "produce," the requirements of social progress demand that the service should be able to demote as well as to promote.

Such a system would be infinitely more difficult to administer than the existing one. Unless political interference were completely eradicated, it would almost certainly result in more objectionable consequences than obtain at present. This indicates the essential character of personnel management in a system where it is hoped to achieve the best results from the potential incentives of public employment.

Development and Supervision of Latent Incentives. In discussing the aforesaid springs of action, it has been posited that motives and incentives of work are malleable, not rigid and unalterable. Some self-styled realists would dismiss the matter as sheer idealism. They would scoff at Tawney's belief that the "psychology of a vocation can in fact be changed; new motives can be elicited." Without entering into the moot question of human nature versus education, it can be said that the development of the latent incentives of public employment depends upon emphasis and effort. This conscious direction may be brought about by means of education and through greater attention to personnel supervision.

The critics of free will fulfill a useful service in emphasizing the obstacles in the way of both of these developments. The element of "control" is admittedly decisive. Outside of Russia and Italy, the entire educational establishment cannot be devoted to an attempt to remould vocational motives. Likewise, the opportunity to supervise and direct the actual administration is beset by practical difficulties. Hence the immediate task is to suggest ways and means of personnel betterment which appear feasible under the existing system of political control. The question of the education and guidance of public employees being so involved, it is impossible to offer more than bare suggestions at this point.

Ultimately, the problem of incentives must be solved by educating public opinion generally. But public opinion is changed gradually, and only by concentrating upon "publics" within the public. Hence it appears that the service itself is the place to begin. Of course, it would be unfortunate if any course of action should bring about a widening gulf between the bureaucracy and the citizenry. The answer to this objection is that public education must also occur, with the service setting the pace and affording the example.

One of the principal avenues of administrative improvement lies in the

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education of employees after their entry into the service. Through education, they should be afforded an opportunity to comprehend the functions and opportunities of government, and the incentives which enter into the fulfilment of these tasks. It should not be simply a trade school, merely a means of adding to the size of the employees' pay-check. The success of such a plan entails trained superintendence. One of the greatest needs of the future is genius along the line of personnel management. Several suggestions may be offered relative to the possible nature of this function.

The most likely place for such activities to center would probably be a department of general administration, or what most closely corresponds to it, e. g., the Treasury. There should be a director of personnel directly responsible, *inter alia*, for education and morale. Due to differences in work, he should have an assistant from each of the principal departments. These officials should be taught to specialize in psychology primarily, in technical efficiency secondarily. The old-style efficiency expert will not pass muster.

Most of the instruction should occur apart from the environs in which the employee finds himself during working hours. His superior in the service should not be permitted to give instruction; he gives all he is usually capable of during the normal course of work. The training of employees should be obtained from the universities, the resulting experience of the professors undoubtedly having a reciprocally beneficial effect.

As part of the same program, there is the tonic which can be supplied in the form of recreation and play. Social halls, dining accommodations, and playrooms are a sound investment. They pay high interest in the form of morale and increased output. Thus far, the possibilities of such material incentives are largely untapped. Where beginnings have been made, the results have almost always exceeded expectations. The opportunities of the personnel director are truly inspiring.

Summary. Although the immediate embarrassment of industry has caused the opportunities of public employment to appear more favorable, a negative attitude toward the incentives of the public service will not suffice. The prospective load of the administrative machine demands a high degree of efficiency and initiative. A positive philosophy is needed in place of an out-worn timidity. The appeals of the public service merely await careful analysis and interpretation, to be followed by more effective education and personnel supervision.

The incentives of public employment undoubtedly possess a strong and lasting appeal. The psychological rewards of craftsmanship, prestige, devotion to an ideal, and security are tangible and enduring. The civil service can be made to offer these inducements in a fuller measure. Incentives can be developed, and others can be substantially altered. The power is there, awaiting the determination and patience to release it.

University of Chicago. MARSHALL E. DIMOCK.

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NEWS AND NOTES

PERSONAL AND MISCELLANEOUS

Compiled by the Managing Editor

Tentative plans for the program of the December meeting of the American Political Science Association, as announced by Miss Louise Overacker, chairman of the program committee, provide for five round tables, five section meetings, three general sessions in addition to the presidential address, and the usual luncheon meeting for the report of the Committee on Policy. The round tables and their leaders are as follows: (1) Government and Education, B. A. Arneson, Ohio Wesleyan University; (2) International Relations, Clyde Eagleton, New York University; (3) Local Government, Wylie Kilpatrick, New Jersey League of Municipalities; (4) Legislative Methods, Rodney L. Mott, American Legislators' Association; (5) Public Administration, F. G. Crawford, Syracuse University. Round tables will meet on the mornings of the first and second days. The following five sections have been arranged: (1) Political Parties and Electoral Problems, in charge of James K. Pollock, University of Michigan; (2) Public Law, E. M. Borchard, Yale University; (3) Political Theory, B. F. Lippincott, University of Minnesota; (4) Comparative Government, Roger H. Wells, Bryn Mawr College; (5) Political Aspects of the New South, John W. Manning, University of Kentucky. The afternoon of the first day and the morning of the third day have been reserved for section meetings. Persons interested in the work of the round tables and sections are asked to communicate with the leaders of the respective groups as early as possible. The three general sessions will be devoted to the following topics: (1) Representative Government: A Restatement of Fundamental Principles; (2) Political Aspects of Economic Planning; (3) The Treaty-making Power in the United States. It is planned to have one paper not to exceed thirty to forty minutes in length at each of these general sessions, followed by discussion led by two or more persons who have had an opportunity to read the main paper. The meeting will then be thrown open to discussion from the floor.

Hon. Frederick M. Davenport, member of the national House of Representatives since 1925, will be Frank B. Weeks visiting professor of government at Wesleyan University during the coming academic year.

Mr. Philip C. Nash, executive director of the League of Nations Association, was elected in June to the presidency of the University of Toledo.

Professor Edwin D. Dickinson, of the University of Michigan Law School, has accepted a professorship of international law at the University of California.

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Dr. DeWitt Clinton Poole, chairman of the advisory board of the School of Public and International Affairs at Princeton University since its establishment in 1930, has been appointed to the newly created position of director of the School.

Dr. Albrecht Mendelssohn-Bartholdy, director of the Institute of Foreign Affairs in Hamburg, conducted a seminar on the subject of the World War documents of Germany, France, and Great Britain on March 29 under the auspices of the political science department at Northwestern University.

Under a grant from the Harvard-Radcliffe Bureau of International Research, Mrs. Vera Micheles Dean, of the Foreign Policy Association, New York City, will during the coming year make a study of the foreign policy of the Soviet Union.

Mr. H. R. Enslow has resigned as assistant professor of political science at Union College, to become assistant director of local assessments in the department of taxation and finance of the state of New York.

Dr. Roger H. Wells has been promoted to a full professorship of political science at Bryn Mawr College.

Professor Harold F. Gosnell, of the University of Chicago, is in England during July and August and is making a preliminary investigation of British royal commissions of inquiry.

Mr. Earl H. De Long has been appointed instructor in the department of political science at Northwestern University.

Dr. Edward N. Clopper, formerly executive secretary of the Pittsburgh Federation of Social Agencies, has been added to the staff at the University of Cincinnati to direct the work of students in the course in training for public service in the field of public welfare.

Because of lack of sufficient financial support, the Institute of Law at the Johns Hopkins University was suspended at the close of the past academic year.

As during the previous summer, a six-weeks' seminar on Hispanic-American affairs was held at the George Washington University during July and August under the direction of Professor A. Curtis Wilgus, associate professor of Hispanic-American history. Among the ten lecturers participating were Professors Chester Lloyd Jones, of the University of Wisconsin; Samuel G. Inman, of Columbia University; J. Fred Rippy, of Duke University; and William W. Pierson, Jr., of the University of North Carolina.

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Dr. Ralph S. Boots, Wallace professor of political science at the University of Pittsburgh, died on May 24 at the age of forty-five. Graduated from Grove City College in 1911, Professor Boots received his doctorate at Columbia University in 1917. After serving as an instructor in government at Columbia for several years, he became an associate professor at the University of Nebraska, and in 1926 a full professor at Pittsburgh. Professor Boots was the author of *The Direct Primary in New Jersey* and of numerous articles in professional journals. He was also a leader in civic organizations in Pittsburgh, especially those interested in election reform.

For the year 1933–34, five Penfield scholarships have been awarded at the University of Pennsylvania instead of the usual two. The incumbents, with the subjects of their research, are: Wilson T. M. Beale, The British Tariff; Bernard F. Cataldo, Private International Law; Edward W. Evans, Post-War Systems of Security; Andrew R. Foster, The League of Nations; and Wilbur L. Mahaney, Jr., The Soviet Socialist Republic in its Relation to the League of Nations.

Under the auspices of the Connecticut League of Women Voters, an Institute on Constructive Economy in Government was held at Connecticut College, New London, on June 13–16. Among the speakers were Governors John G. Winant of New Hampshire and Wilbur L. Cross of Connecticut and Professors Thomas H. Reed, University of Michigan; Milton Conover, Yale University; and Henry W. Lawrence and George B. Clarke, Connecticut State College.

At the Institute of Public Affairs held at the University of Virginia on July 2–15, four of the eight series of round table conferences dealt definitely with subjects in the field of government and international relations. These, with leaders, were as follows: American Policy in the Far East, Mr. Grover Clark, New York City; County Government, Dr. George W. Spicer, University of Virginia; Our Latin American Relations, Professor C. H. Haring, Harvard University; and The Relation of the United States with the League of Nations, Mr. Felix Morley, Brookings Institution.

Under the joint auspices of Louisiana State University and the American Political Science Association, a survey conference for the schools and colleges and departments of education of Alabama, Arkansas, Mississippi, and Louisiana was held at Baton Rouge on June 25–27. The general subject for consideration was civic education and training, and six sessions in all were devoted to various phases of the problem. Among political scientists who participated were Professors George M. Reynolds, Centenary College; A. B. Butts, Mississippi State College; and Thomas W. Pipkin and A. T. Prescott, University of Louisiana.

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Steps are under way for the formation of a society in the United States to promote the study of and preservation of documents in legal history. A committee to consider the matter was appointed at the last annual meeting of the American Association of Law Schools, and under the auspices of this committee a group of lawyers, professors, and social scientists attended a meeting in Washington on March 4 at which the project was discussed. It was there voted to take the necessary steps to form a permanent organization, and a committee of twenty-one persons has been made up for the purpose. The American Political Science Association is represented in the committee by Professor Charles G. Haines, of the University of California at Los Angeles, and the Association, along with other cognate societies, has been invited to coöperate in the project.

Following a prolonged illness, Dr. Amos S. Hershey, professor of political science and international law at Indiana University, died on June 12 at the age of sixty-five. Graduated from Harvard in 1892, Professor Hershey received his doctorate at Heidelberg in 1894 and afterwards spent a year at the University of Paris. Accepting an appointment in history at Indiana in 1895, he became head of the newly created department of political science in 1914. In 1913–14, he travelled in Europe and the Orient as a fellow on the Kahn foundation; in 1919, he was a member of the American peace delegation at Paris; following his return from the latter mission, he lectured at Harvard for a year. His more important published works include *The International Law and Diplomacy of the Russo-Japanese War; Modern Japan;* and *The Essentials of International Law and Organization.* A later study, *American Colonization Policy*, may be issued posthumously.

The fifth series of "You and Your Government" radio broadcasts under the auspices of the Committee on Civic Education by Radio and the American Political Science Association started on June 20, and is devoted to the general subject of Constructive Economy in Government. Beginning with August 15, the remaining talks in the series will be as follows: August 15, "Reducing the Recreation Budget," John H. Finley, associate editor, *New York Times;* H. Edmund Bullis, executive officer, National Committee on Mental Hygiene; Roy Smith Wallace, National Recreation Association. August 22, "Reducing the Cost of Justice," Leon Carroll Marshall, Institute of Law, Johns Hopkins University; Frank J. Loesch, former president, Chicago Crime Commission. August 29, "Are There Too Many Governments?," Harry F. Byrd, U. S. Senator from Virginia; Henry Morgenthau, Jr., governor, Farm Credit Administration. September 5, "Reducing the Public Health Budget," George Folger Canfield, president, State Charities Aid Association; Mattias Nicoll, Jr., commissioner of health, Westchester county, N. Y.; Dr. Kendall Emerson,

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acting executive secretary, American Public Health Association. September 12, "Merit Versus Spoils," Harry B. Mitchell, chairman, United States Civil Service Commission; Clyde L. King, University of Pennsylvania. September 19, "Reducing the Public Works Budget," Carl Schneider, president, International Association of Public Works Officials; Alfred E. Roche, commissioner of public works, Troy, N. Y.; Donald C. Stone, research director, International City Managers' Association; September 26, "Saving By Planning," Alfred Bettman, president, National Conference on City Planning; George McAneny, commissioner of sanitation, New York City, and president of Regional Plan Association of New York; Flavel Shurtleff, secretary, American City Planning Institute. All of the addresses and discussions in this series are being published in the *National Municipal Review*. Reprints of individual programs may be obtained from the National Municipal League (309 East 34th Street, New York City) for fifteen cents each, or $2 for the entire series of fifteen broadcasts.

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The Constitutional Law of the British Dominions. By Arthur Barriedale Keith. (London: Macmillan and Company. 1933. Pp. xxvi, 522.)
The British Empire-Commonwealth. By Reginald G. Trotter. (New York: Henry Holt and Company. 1932. Pp. 131.)

In this clear and well-balanced volume, Professor Keith brings up to date his various texts on the British Commonwealth of Nations. The first section (about one-fifth of the book) treats of constitutional relations between Great Britain and the Dominions as they stand after the passing of the Statute of Westminister in 1931; while the remainder is a comparative study of the law and custom of the constitutions of the various Dominions. Less encyclopaedic than his well-known *Responsible Government in the Dominions*, the volume is the more readable; and more concerned with the political institutions of the Dominions than his *Sovereignty of the British Dominions*, it is the more useful for the student of comparative politics. Legal practitioners and specialists, however, will find the volume merely an excellent general outline. Since the evolution of the British Commonwealth, which has proceeded at such a tumultuous pace since the Great War, appears virtually to have come to a halt with the passage of the Statute of Westminster, Professor Keith's book promises to be recognized for some time as the standard general text in the field.

This, however, is not to say that Professor Keith's conclusions will everywhere find acceptance. In particular, objection is likely to be taken to his conclusion that the bond of union cannot be severed by the unilateral action of any Dominion, that there still exists a common allegiance for all subjects of the Crown which can be altered only by action of the Imperial Parliament, that the Imperial Parliament still retains sovereignty over the whole Empire, that neutrality for any member-state of the Commonwealth in the event of one member being at war is still impossible, and that relations between member-states of the Commonwealth are still governed by constitutional, and not international, law. On these grounds, Professor Keith concludes that the Commonwealth of Nations is still more than a personal union, though it does not fit any of the existing categories of international persons. While the reviewer is in substantial agreement with Professor Keith on most of these matters, it should be noted that none of the opinions cited is unchallenged by scholars and politicians of the Dominion nationalist school. Readers of Professor Keith's volume would be well advised to compare in this connection the works of the late John S. Ewart, particularly his *Independence Papers*.

It is to be regretted that Professor Keith mars the tone of an otherwise excellent book by a few gratuitous aspersions on individuals and groups,

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as that on the Roman Catholic Church in Quebec, and that on the relations between the present prime minister of Canada and his cabinet.

Professor Trotter's readable sketch of the history of the British Empire since 1783 should serve admirably the purpose of the "Berkshire Studies" in which it appears, which is to supply a week's reading for college students in European history on various special topics. The author has achieved a feat in compression, and his material is well selected and arranged.

ROBERT A. MACKAY.

Dalhousie University.

The People and the Constitution. By CECIL S. EMDEN. (Oxford: Oxford University Press. 1933. Pp. 336.)

At least two prerequisites are necessary to the proper functioning of democratic government. In the first place, the people, or, as Mill said, some numerous portion of them, must select the public officials who actually do the work of government. Secondly, the people must be able to force their chosen officers to act in harmony with the popular will. The author of this book deals only casually with the extension of the franchise in England. It is with the growth of popular control over those in office that he is concerned. In considerable detail, he presents the history of the increasing power of the people from 1688 when "there was some evidence of a slight connection between the results of general elections and the course of policy" to the present day when the government chosen by the voters at a general election is supposed to have a mandate to effectuate the public will.

The book follows a topical arrangement. There are chapters on the influence of constituents on members of Parliament; public opinion and government; the development of parties; the choice of ministers; the popular mandate; and the formulation and submission of issues. Each topic is treated chronologically. This plan of organization leads to some repetition and to considerable lack of continuity, but it has the undoubted advantage of centering attention firmly upon the development of particular manifestations of popular control.

The volume is an important addition to the literature of popular government in England. It is generally recognized that since Bagehot's time the House of Commons has declined in power, and that the ministry has risen in influence. The author here presents a comparatively full account of how the people secured final control over both the Commons and the ministry. He shows how largely this has resulted from the development of party organization. Like many other writers, he credits popular control to the existence of the two-party system. With numerous parties and coalition governments, he thinks control may shift from the people back to the king or to the House of Commons.

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The author confines himself largely to facts. There is but little theorizing and no elaboration of personal opinions. He is objective and fair; he seldom gives evidence of approval or disapproval. Although he is generally realistic, the statement that associations of employers of labor, in contrast with trade union employees who have the Labor party to do their bidding, have no party in Parliament to represent them may seem to lack something in realism.

A good index, a chronological summary, and an interesting chart of parliaments and ministries add to the usefulness of the book.

ELMER D. GRAPER.

University of Pittsburgh.

The Influence of the Commons on Early Legislation: A Study of the Fourteenth and Fifteenth Centuries. BY HOWARD L. GRAY. (Cambridge: Harvard University Press. 1932. Pp. xviii, 423.)

This is a highly detailed study of a comparatively obscure period in the history of Parliament. The generalizations (usually sound, but generalizations still) of the great nineteenth-century masters of constitutional history do not quite satisfy the modern student who wants to get such completeness and definiteness as may exist. Professor Gray's study is in the distinguished tradition of his acknowledged masters in institutional history, Professors Haskins and McIlwain. Though his book has the fault of being too obviously painstaking, and though he shuns generalizations to an extraordinary degree, he achieves the distinction of being immensely stimulating, by the very fact that he presents all of the relevant material about a growing institution in a period when it was full of vitality.

To summarize the book is impossible. It is worth while, however, to indicate the method and some of the implications. An examination of seventeenth-century parliamentary procedure, and a comparison with the procedure of 1509, gives a basis for understanding the procedure of the fifteenth century. The examination of the substantive action of Parliament in the fifteenth and fourteenth centuries is conducted largely by a comparison of such actual original bills as exist with the statute rolls and rolls of Parliament. By another backward step, it becomes possible to analyze even earlier rolls of Parliament so as to discover the part played in parliamentary action by the individual houses and by the court.

Four types of bills were in existence in the fifteenth century: official bills, group bills, private bills, and "Commons bills." The major portion of the book shows the comparative prevalence at different periods of the different types of bill and the part played by the Commons in each period in regard to each type. The Commons' amending of bills, and the king's granting of Commons petitions with what we now call amendments, are examined in detail. It appears that the power of the Commons, which

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was very trifling when parliaments began, grew until the first half of the fifteenth century saw practically all legislation resulting from Commons bills hardly at all amended, and that the latter part of the century saw the Commons' power considerably reduced. The value of the book lies not, however, in any broad conclusions which one can draw from its chapters, but in its brilliantly regimented detail, which touches varied aspects of parliamentary development.

E. P. CHASE.

Lafayette College.

A Hundred Years of Quarter Sessions: The Government of Middlesex from 1660 to 1760. BY E. G. DOWDELL. With an Introduction by Sir William Holdsworth. (Cambridge: Cambridge University Press. 1932. Pp. lxxv, 215.)

This somewhat slight sketch of county government in Middlesex during the seventeenth and eighteenth centuries is preceded by a formidable array of curtain-raisers. First there is an author's preface of the usual brief type. Then comes a long general preface on the justice of the peace, occupying 35 pages, by Professor Hazeltine, the editor of the Cambridge Studies in English Legal History, to which this volume is the latest addition. After that we are given a lengthy introduction, extending over nearly 30 pages, by Sir William Holdsworth. At last we come upon Mr. Dowdell's own modest work, hiding demurely behind this thicket of intermediaries, and needing far less preliminary announcements than it actually receives.

Professor Holdsworth's introduction consists of a dissertation on the leading features of the eighteenth-century system of English government, written in that vein of complacent conservatism which is unfortunately the peculiar characteristic of English legal historians, with the one great exception of Maitland. The great varieties in the constitution of the various units of local government, writes Professor Holdsworth, "showed that the government was most successfully run when it was in the hands of the higher and more enlightened classes. This appeared to be an obvious truism in the eighteenth century, for it was not . . . blinded by the universal prevalence of democratic theories." The ruling class, he continues, had progressed so far in the art of self-government that it had learned "all that was necessary to fit it to manage and to adapt to changing needs the complex constitutional machinery of the English state."

Mr. Dowdell's careful study of the situation in Middlesex does not support this reactionary generalization in any substantial sense whatsoever. He deals in separate chapters with the work of the justices in regard to the administration of the system of law and order, the poor law, the maintenance of highways and bridges, labor relations, and the regulation of production and distribution. The county, observes Mr. Dowdell, was

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not provided with a serviceable governmental organization, and the action of the Middlesex court of quarter sessions was either weak, ill-considered, or ineffective in every one of these spheres. The Tudor poor law was a conspicuous failure in the period under review, and the justices were especially negligent in regard to both the able-bodied adults and the children. In regard to highways, Mr. Dowdell explicitly remarks upon the fatal consequences of heaping a multitude of diverse functions on a group of unpaid amateurs unassisted by a body of professional experts.

The great merit of Mr. Dowdell's work is that he approaches the subject as a study of administration carried on by a judicial organization, rather than from a purely legalistic attitude. He combines a modern critical outlook with sound scholarship. After reading his contribution, it is more difficult than ever to understand why the reform of county government was delayed for more than a century and a quarter after the close of the period with which he deals. The Tudor system had fallen into decay almost a hundred years earlier.

WILLIAM A. ROBSON.

London School of Economics and Political Science.

Die Verfassung des Deutschen Reichs vom 11. August, 1919. Ein Kommentar für Wissenschaft und Praxis. By GERHARD ANSCHUTZ. 14th ed. (Berlin: Verlag von Georg Stilke. 1933. Pp. xxxxviii, 800.)

This is not the time nor the appropriate occasion to write a eulogy on the Weimar constitution. For while these lines are being printed, the constitution of the German republic of August 11, 1919, is still formally the basic law of the German people, though the decrees of the "national revolution" are forcing their way into the substance of the constitution almost in the same way that British statutes have lessened the significance of British common law. In the preface to the new edition of this unrivaled, standard work on the Weimar constitution, Dr. Anschütz, professor of public law at the University of Heidelberg, has already anticipated this development, suggesting that by "legal or illegal" changes in the constitutional structure of the Reich a good deal of the interpretative work devoted to the constitution might be "devaluated to waste-paper, interesting only to historians." Yet the author consoles himself with the consideration that the constitution, apart from "certain defects which even the friend of its fundamental ideas can admit," has one distinct advantage—its elasticity. "We owe it to this advantage that even now (February, 1933), under conditions which differ widely from those of the first post-war years, one can still govern under the constitution." But even if this flexibility shall not be strong enough to meet the demands of the "new deal," nevertheless it is inconceivable that the spirit of

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Weimar will be fully supplanted by that of Potsdam—which, by the way, has laid the basis for the world-wide reputation of German civil service, cautiously safeguarded, in turn, by the Weimar constitution. Thus the amazing volume of constitutional doctrines emanating from the letter of the fundamental law in the last decade will continue to offer the key to Germany's political life, although the frame of government will certainly be transformed into a more unitary and "authoritarian" set-up. Such a transformation, aiming at a destruction of German party pluralism, is not a reason for mourning; for it runs parallel to the universal trend from a legislative type of government toward an administrative one, or, in other words, toward administrative centralization. In fact, the Weimar constitution has already envisaged this course of events by strengthening the central power of the Reich, which, even under the Bismarckian constitution of April 16, 1871, was much stronger than the federal government of the United States—enabling, for instance, the Reich to enact a far-reaching program of reconciliatory social insurance and labor legislation since the eighties of the last century.

The acknowledged competence of the author renders it superfluous to utter any word of praise of his thorough and well-balanced, concisely written, commentaries on the Weimar constitution. They embody, and masterfully discuss, whatever German political science and constitutional practice have had to say in the domain of constitutional interpretation. They give a complete account of a period which has been unusually fruitful, not only in creating or developing new scientific categories, but also in overcoming mere constitutional legalism. This is especially true of the second part of the constitution containing a bill of rights similar to that of the American constitution, and therefore of particular interest to American political scientists.

FRITZ MORSTEIN MARX.

Hamburg, Germany.

The League on Trial; A Journey to Geneva. BY MAX BEER. Translated by W. H. Johnston. (Boston and New York: Houghton Mifflin Company. 1933. Pp. 415.)

The main English title of this scintillating example of syntax is an addition to, and a perversion of, the author's idea. The German title was *Die Reise nach Genf*, the definite article becoming indefinite in the English subtitle. The shift of emphasis changes the author's meaning, because it can scarcely be doubted that in writing the book he had the serious purpose "to make peace a vital part of our lives." The English reader, carried along by a pungent, intimate, imaginative style, is almost certain to conclude that he set out to show that the League of Nations is a futile sham.

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A book written for Germans naturally emphasizes Germany's grievances from the peace onward. The book is competent journalism, though disconcerting. Once Briand and Stresemann declared in the Assembly for European economic union, both for hard-headed reasons; but here the German is represented as expressing loyal virtue and the Frenchman as emitting Parisian guile. The worst, the best, and the judicious truth are so mingled in the book—or so separated—that the result is a confusing kaleidoscope.

The thesis that runs through these pages is that Wilson was victimized at Paris and gave to us "forged tables of the law" (p. 175) in the shape of the Covenant, which is operated by a Secretariat that defends "the incomplete against progress." (The Secretariat building is "Hottop's Palace," a name derived from the fact that the manager of the former Hotel National, M. Hottop, remains as superintendent.) The resolutions of the Assembly are a jumble of confused, foolish, and insincere utterances (p. 400), with the Council as bad, and dryer to boot. They do not "face the practical politics from which they shrink at present" (p. 366). All of this is exceedingly deplorable by incessant contrast with an ideal League, constantly referred to and never defined. A machine built by states is flayed in every conceivable way, in its every part, and with most of the resources of literary art. And then on the next to the last page appears the all-important fact, which any one but a congenital journalist would have put on the next to the first page and built into his every chapter: "It is in your [foreign] offices at home, at your own desk . . . alone that the League can exist; there is no other soil in which it can grow, flourish, or prevail. . . . The League must become an inspiration at home before we can rediscover it in the blue-golden fairyland of Geneva, in the house by the Quai Wilson, and in the big halls of stone and glass."

Mr. Beer's pungent, frequently impertinent, criticism is so incisive and his knowledge in general so accurate, that he might have produced a valuable and balanced critique that would have served at once to interpret the League that is and to improve it. As the book stands, it is a smart attack in the manner of shadow boxing, immensely convenient for anyone who wants to crib unsavory tendential half-truths for his own delectation or for others.

DENYS P. MYERS.

World Peace Foundation.

Force in Peace; Force Short of War in International Relations. BY ALBERT E. HINDMARSH. (Cambridge: Harvard University Press. 1933. Pp. 228.)

In spite of the title of this book, Dr. Hindmarsh comes dangerously close to being one of those who look at the substance and not the techni-

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cality when he considers the question of whether bloody fighting on an extended battle-front for many months constitutes war in the legal, as well as in the actual, sense. After referring in his Introduction (Part I) to the "Far East conflict," he goes on to say: "There have been battles, bloodshed, and naval bombardment, but there has been no war as that term is used in the post-war treaties for the maintenance of peace. Surely world order cannot be left thus to rest on a legal definition of war" (p. 7).

In Part II, which is entitled "Private and State Use of Force in Time of Peace," the author discusses the subjects of private reprisals and state self-help in practice, with particular reference to the relevant principles of international law. He finds "constant disagreement" in the application of these principles, even though "it is the constant care of Foreign Offices to ascertain and apply international law" (p. 104). He declares that "all states, by word or action, continue to recognize the practical necessity of coercive sanctions of international law" (p. 107). Dr. Hindmarsh holds no brief for coercive sanctions, but points out that the international reality is that they exist. The problem regarding them is not, therefore, "a matter of elimination—world society has not reached a stage where that is possible—it is a matter of substitution" (p. 107). The substitute which he offers is "the organized physical as well as moral force of the international community."

Dr. Hindmarsh is not at all sure that the "peace machinery which has been built since 1919" is such a substitute, after examining it "for what it is rather than for what many hoped it would be" (p. 108). The statement just quoted should be emphasized, because it is the author's ability to keep to the ground of international realities which makes his book so valuable. Certainly the volume is not a work which would come within the terms of Bacon's comment: "The discourses of the philosophers are as the stars, too high to give light."

A realist, and not an idealist, is discoursing in Part III, entitled "Coercion and the League of Nations." The author finds the attempts to "preserve and guarantee peace by providing sanctions against an aggressor state" to have been highly laudable in spirit, but most unfortunate in practice, because "a criterion so indefinite as 'aggression' [was] made the basis of guarantees" (p. 116). He contends that the trouble with this criterion is that it can be, and has been, construed to apply to a *de jure* war only, and not to the use of armed force. "Aggression must not be limited to war. It must be made synonymous with any use of armed force in international affairs prior to appeal to arbitration or judicial settlement" (p. 180). This is a rather sweeping proposal, and whether the so-called Great Powers will agree to be bound by such a rule, without reservations which will reduce the rule to disintegration, is a matter upon which there may be difference of opinion. It is also to be noted that the

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proposal is advanced by one who concludes that "the restraining order of 'Cease fire' has been repeatedly handed down from Geneva during the past year, but it has lacked authority and respect" (p. 180).

EDWARD C. WYNNE.

Department of State
Washington, D. C.

European Diplomatic History, 1871–1932. By RAYMOND J. SONTAG. (New York: The Century Company. 1933. Pp. ix, 425.)

That branch of political history known as "diplomatic history" has long been claimed both by historians and by political scientists. Both have devoted themselves primarily to detailed chronologies of diplomatic action and to plausible descriptions of apparent relationships of causation in the ebb and flow of the power-and-prestige equilibrium between states. Analysis has seemed more important than synthesis, and accounts of unique events have been given precedence over generalizations based on classified and comparable data. For this, the historians are assuredly not to be blamed; for historians, by definition, are concerned with the chronology and causation of unique events. But political scientists might reasonably be expected, in their work with the raw materials of international relations, to concern themselves with the established patterns of political behavior and with the values, ideologies, and mythologies motivating diplomatic action. That they have done so only to a limited degree is indicative of the immaturity of the modern science of politics—or perhaps of the inability of political scientists to emancipate themselves from barren historical and juristic concepts.

The present work has been written by an historian, not by a political scientist. The author is associate professor of history at Princeton University. His work possesses the great merit of being based, at least in part, upon a conception of his subject somewhat less naive than that of most diplomatic historians. This conception, on the other hand, is not quite as sophisticated as that of the political scientist (still found very rarely in a state of academic captivity) who treats international politics frankly in terms of the components of power, the competitive struggle for power, and the relationships of power between the great states. Sontag makes the central theme of his story this still unanswered riddle: "How can desirable changes in the international *status quo* be effected, and undesirable changes prevented, without recourse to war?" This formulation is obviously too simple to furnish the basis for a realistic political scientist's approach to diplomatic history. It is based upon two highly questionable assumptions: (a) that it is the function of diplomats to prevent war; and (b) that it is the function of social scientists to deal with diplomatic history from the point of view of the prevention of war. Nevertheless, this

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formulation is in advance of that of most diplomatic historians, whose works are usually lacking in any formulation of general ideas of any kind.

For the rest, the book is somewhat disappointing, at least to the reader who looks to it for a reasonably complete narrative of the period covered. The style is excellent, which is no small virtue—for books, after all, should be written to be read. The interpretation is reasonably consistent, and is not without occasional subtlety and brilliance. There is little of the usual nonsense about "war guilt." There are five good maps. But the work is wholly undocumented, and the five pages of "Suggested Readings" at the end are pathetically inadequate. The factual presentation is superficial, and at times inaccurate. These sins can scarcely be forgiven on the plea that the volume is a textbook or is intended for the "general reader." Neither the college student nor the general reader can gain much from an interpretation if no clues are given to further sources of information and if the basic factual material is not presented adequately. These defects—perhaps a result of haste—are the more deplorable because of the undoubted merits of the work. As it stands, the book is but half completed.

FREDERICK S. SCHUMAN.

University of Chicago.

The Mind of China. BY EDWIN D. HARVEY. (New Haven: Yale University Press. 1933. Pp. x, 321.)

Land and Labour in China. BY R. H. TAWNEY. (New York: Harcourt, Brace and Company. 1932. Pp. 207.)

The Case for China. BY H. C. THOMSON. (New York: Charles Scribners' Sons. 1933. Pp. 322.)

Of these volumes, the two listed first are of outstanding merit. The third is not completely without value. Messrs. Harvey and Tawney have, by training and by experience, qualified themselves to speak with a considerable degree of authority on the country with which they are dealing. Mr. Harvey was for several years professor of sociology in the College of Yale-in-China, in the far inland and, for long, intensely conservative province of Hunan. At present, he is an assistant professor of sociology at Dartmouth. Mr. Tawney is professor of economic history in the University of London, and ranks among the foremost of English economists. The author of the third volume was for many years a correspondent of various English journals, including the *Manchester Guardian*, for which he reported the Boxer campaign of 1900. Out of this came his well-known *China and the Powers.*

To do justice to the merits of Mr. Harvey's outstanding contribution to the understanding of Chinese mentality, a longer review would be

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necessary than limitations of space permit. Suffice it to say that this keen-minded student of psychology and sociology, on the basis of first-hand observation and long-sustained study and cogitation, takes issue with the legion of facile writers who luxuriate in the "inscrutability" of the "unchanging" East. To his credit, he produces a long analysis of the mind and social customs of a great oriental people without once quoting Kipling or Bret Harte. Mr. Harvey's approach to his problem is to be found in the statements that "there is a universal belief in the existence of another world of spirits, a shadowy but real counterfeit of life here on earth. . . . It is the simple truth to say that every kernal of rice sown, every silk cocoon reared, every ton of coal mined or tree hewn, every pupil beginning his school career, every birth and every death, is surrounded with high religious or cult sanction and authority." The "all-pervading ghostly sanctions" which so profoundly influence the social, economic, and political life of the Chinese, are analyzed—and illustrated by numerous valuable quotations from Chinese and Western works—under such headings as the nature, location, and functions of the soul; fetishism; magic; charms; exorcism; astrology and augury; ancestor worship; heroes, cults, and sects. The concluding chapter on "The Modern Temper of China" is the least satisfactory in the book. This admirable work should be studied in connection with those of de Groot, Doré, Wieger, and Shryock.

Professor Tawney, as is indicated by the title of his study, approaches the problem of contemporary China from the economic angle. *Land and Labour in China* is the scientific and highly objective product of a trained mind and observer of phenomena dealing with materials without preconceived theories. The origin of the study was *A Memorandum on Agriculture and Industry in China,* prepared for the Institute of Pacific Relations of 1931. "No more is attempted in the present work," states the author, "than to summarize some of the material contained in the more easily accessible publications, in the light of the information which those entitled to an opinion, both Chinese and foreigners, were good enough to supply. . . ." The valuable factual material dealing with cultivation methods in China, marketing, credit, land tenure, famine, drought and flood, communications, population, and the development of capitalist industry has been gathered largely during the past two decades by such specialists as Messrs. Franklin Ho, H. D. Fong, L. K. Tao, J. D. H. Lamb, D. K. Lieu, Ta Chen, S. H. Lin, W. H. Mallory, C. W. Young, E. E. Yashnoff, Owen Lattimore, and J. Lossing Buck. In the light of his studies of the economic history of the Western world and of his own observations in China, limited in scope though they are, Professor Tawney interprets broadly the contemporary economic problem of China. Admitting the dark realities of the situation, and judiciously criticizing the militarists who are in part responsible therefor, the author's conclusions are dis-

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tinctly, though not chirpily, optimistic. His work should be used with Professor J. B. Condliffe's *China To-day: Economic.*

In marked contrast to the scholarly objectivity of Messrs. Harvey and Tawney is Mr. Thomson's *The Case for China.* As the title implies, this is an extremely one-sided presentation of the complex political and international aspects of the outstanding basic problem of the Far East. For the weakness, corruption, and confusion of China the Western Powers and Japan are held almost entirely responsible. Granting that, with the best as well as the basest of motives, the Powers have much for which to answer, to argue that they are blameworthy to the extent ascribed by Mr. Thomson places a reviewer in the unhappy dilemma of suspecting him of a degree of more than average ignorance among would-be authorities, or of listing him with the propagandists. Presence during a campaign waged a generation ago does not necessarily qualify one to describe the contemporary perplexities of the celestial republic. Nor should sorrow for consequences blind an observer to causes which have had fatal results. Mr. Thomson's largely subjective interpretation bristles with affirmations at least semi-false, sweeping statements of more than doubtful accuracy, and acceptances at face value of governmental paper-declarations which may be based on hope (although this at times appears debatable), but certainly are not founded on present realities. The volume is of restricted value for the serious student of the Far East, and of less for the general reader. Its most interesting section presents arguments for the construction of a railway from Burma through Yunnan to central China.

HARLEY FARNSWORTH MACNAIR.

University of Chicago.

China's Foreign Relations, 1917–1931. By ROBERT T. POLLARD. (New York: The Macmillan Company. 1933. Pp. xi, 416.)

This book is a notable addition to the not very extensive collection of scholarly works on the post-war international relations of the Chinese Republic. There are twelve chapters, dealing, in order, with China in the World War; the Paris peace treaty; political affairs between the peace treaties and the Washington Conference; the liquidation of Russian interests in China; the recognition of the Soviets; the Washington Conference; the relative failure of China to realize substantial benefits from the Washington Conference; the rise of nationalism; the achievement of tariff autonomy; the efforts to escape from extraterritoriality and to reclaim the residential concessions and the territorial domain of the Chinese Eastern Railway.

The book is done very largely from the periodical literature of the period, together with such official documentary publications as are avail-

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able. There is an old saying in the East that no political news remains secret very long. It is astonishing to see to what extent proof of this aphorism is contained in Dr. Pollard's book. There is an amazing amount of trustworthy source material for this contemporary period of international history. It would, in fact, be difficult to match it from any other area in the world.

The book is sound. Far more than most writers, the author has been able to maintain an objective, unemotional, point of view toward events which have generally aroused and divided the emotional world. The period is described by the author as one of the recovery of rights, in contrast to the periods of conflict and submission which were covered by Dr. H. B. Morse. Dr. Pollard is sympathetic toward China, as is proper for one who would make the most of the subject he selects. His list of achievements for China is as follows (pp. 407–408):

"The campaign to remove restrictions on China's freedom of action has yielded impressive results. Tariff autonomy has become a reality. The German, Russian, Austrian, Belgian, and some of the British residential concessions have been returned. Increasing numbers of foreigners are being brought under the jurisdiction of Chinese officials and Chinese courts. Definite progress has been made in the negotiation of new treaties based on principles of equality and mutual respect for sovereign rights." This record looks better, however, than it actually is.

Because the book is unemotional, and also because the author has suppressed all traces of a sense of humor, the various chapters, packed as they are with numberless details, are not very good hammock reading. They are, however, invaluable and indispensable for one who wishes to tie up the front page of the morning paper with the sequence of events which produces the current news. *China's Foreign Relations* makes an excellent handbook for an understanding of the Lytton Report and the existing disorders in Manchuria and Northern China.

TYLER DENNETT.

Princeton University.

Ethical Systems and Legal Ideals. By FELIX S. COHEN. (Falcon Press, Inc. 1933. Pp. vii, 303.)

This work is concerned with what is perhaps the crucial problem in legal theory today, i.e., the nature and basis of value-judgments as to law. Its quality is a tribute to the author, exemplifying the value of a viewpoint which embraces more than a single discipline—in this instance, philosophy and law.

The central thesis is simple, namely, that, on the one hand, legal science cannot evade the problem of "passing judgments of good and bad, right and wrong, upon human acts and works" and, on the other hand, that

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legal philosophy—ethics as applied to law—involves "a calculation of the nature, effects, and potentialities of legal machinery." Accordingly, the value of law will depend upon its efficacy in promoting the good life—a formal principle which, in the author's view, provides a logical basis of legal criticism, even though it be shown to provide no material measure of legal values. Thus, to cite the author's words: "The standard of the *good life* as applied to legal criticism points in two directions. It points to *life* as the material in which the symbolism of statute and court decision must be seen and judged. . . . It points as well to the *good* as the ultimate ideal of legal activity" (p. 43).

This point of view will suggest the chief lines of discussion: (a) an examination of standards of legal criticism, whether in terms of aesthetics, content, purpose, peace, liberty, social interests, justice, or natural law, terminating in the conclusion that there is no royal road to legal criticism; (b) a dialectic of the good, resulting in the conclusion that intrinsic goodness either is "relative, definable, and identical with a relation to an approving individual" or is "absolute, indefinable, and equivalent in application to positive pleasantness"; (c) an examination of "the lines of causation" which connect law with its effects in human happiness, in the endeavor to indicate the connection between positive science and ethics. It will be noted that, in the last analysis, either of the conceptions of ethical science accepted rests upon an empirical psychological basis, in the one case of approval and in the other of hedonistic pleasures and pains.

This position is far in advance of the conventional misunderstanding of empirical legal science by professional philosophy. That the problem of legal science is at once empirical and theoretical, which is implicit in the argument, represents a point of view for which the writer has on various occasions exhibited a bias. And this implication is strengthened by the conception of ethics as a science of approval or of pleasures and pains. Thus, shortly after the republication of the *Theory of Legislation*, Bentham is once more revived in a somewhat qualified version.

Amid so much that is impressively thought and written, one hesitates to raise a doubt. But there appears to remain in the argument a bifurcation which the initial premise promised to surmount, namely, that between the positive science of life and the normative science of the good. If, as is suggested on page 48, the significances of social statistics involve moral judgments and, on the other hand, ethical science rests upon analysis of actual approvals or pleasures and pains, does not the distinction between life and the good pale into a traditional artifice? From this point of view, the notion of "intrinsic goodness," which is sought, somewhat ineffectually, to be preserved on pages 131 and 149, by deriving the intrinsicality of goodness from the distinction between means and ends,

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appears an irrelevant structure, as indeed the author half admits by conceding that possibly "the ethical criterion we need" may be achieved "without strictly defining the ultimate nature of intrinsic goodness" (p. 146). The end of this theoretical path is to be found in Bentham's writings, namely, that legal science is a branch of ethical science, each of them fundamentally involving a rationalization of life.

Such an admission brings us to the conception of empirical legal science, which justifies itself not only by its theoretical simplicity, but by its avoidance of the sterile isolation of philosophy from science which the author sets out to discountenance. From this point of view, the effort to segregate an essence of "intrinsic goodness" by pure postulation appears of value chiefly as a *reductio ad absurdum* of its premise.

HESSEL E. YNTEMA.

Johns Hopkins University.

The State and Economic Life: A Record of a First International Study Conference Held at Milan, May 23–27, 1932. (Paris: International Institute of Intellectual Coöperation. 1932. Pp. xxiii, 184.)

Five years ago, the International Institute of Intellectual Coöperation initiated an effort to coördinate more effectively the various national institutions engaged in the study of international relations, by arranging annual conferences of their representatives. After four such conferences devoted to the development of "a system of coördination" involving interchanges of speakers, publications, programs of study, and bibliographies, and the preparation of a *Handbook of Reference Centers on International Affairs*, it was decided to shift attention to the exploration of a specific concrete problem. The document under review constitutes a verbatim report of the proceedings of the fifth conference, the program of which was focused upon "the international implications in the relations between governmental authority and the private economic activities of individuals and groups, with particular reference to the new forms of public management, control and supervision, national or international, direct or indirect, which have grown up since the War, and to the nature of the motives and policies underlying them."

An excellent piece of reporting, this document commands the interest of the student of international affairs for two rather different reasons. From the substantive standpoint, it presents an illuminating cross-section of European and American attitudes relative to tariff policy, preferential systems, customs unions, economic planning, and the like, from which the inference is clear that few economists expect the Western world to return to economic liberalism (that is, to substantially freer trade), though the emerging alternatives offered by the advocates of planning are as yet confused and only partially adumbrated. Not less interesting is the

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promising procedure developed by the Milan conference for the "coordinated study of a selected problem in international affairs by various national groups of institutions in which both the academic mind and the man of action are represented.'' The results of such national studies, submitted in the form of advance memoranda, are to be analyzed coöperatively by the international body meeting under the auspices of the member national agencies, "in an attempt to discover points of agreement and of difference with a view, not to the passing of resolutions and the taking of votes, but to arriving . . . at a certain general consensus of opinion which, while it will not be intended to stimulate immediate and official action, may at least influence others whose proper function it is to take international action."

Should such a series of conferences yield as fruitful results as those sponsored by the Institute of Pacific Relations, their apparent prototype, the International Institute of Intellectual Coöperation, after years largely frittered away upon the external minutiae of international intercourse, may succeed in penetrating the real core of its problem. In conclusion, it may be remarked that America is represented in the undertaking by the Council on Foreign Relations, of New York. The 1933 conference is scheduled to meet in London, with a program designed to follow up certain detailed aspects of the general theme introduced at Milan.

WALTER R. SHARP.

University of Wisconsin.

Towards the Understanding of Karl Marx. By SIDNEY HOOK. (New York: John Day Company. 1933. Pp. xiv, 347.)

This book is the best presentation of the social philosophy of Karl Marx in the English language. It is written in a lucid style, and it proves the author's mastery both of Marx's interpretation of history and of Marxian economics. Unlike many authors of academic standing who have written on Marx in this and other countries, Professor Hook stresses in equal measure the scientific content of Marxism and Marx's will to revolution. Of course an evaluation of Marx is bound to reflect the mental environment of the author himself. Hence Professor Hook's Marx is a different Marx from the Marx of the Russian communist writers, since he is made to think the thoughts, if not to speak the language, of left-wing Dewey pragmatism. It is very probable that to the Russian Marxians this Americanized version of Marx would appear more than distasteful, because not only of theoretical differences but of practical ones as well. Indeed, the Russian Marxians, who are the Marxian practitioners *par excellence*, would probably hold that any interpretation of Marx that tends to get away from absolute determinism, even to the point of

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admitting that the social revolution is not inevitable but only just possible, might border dangerously upon the counter-revolutionary.

The writer of this review, who is as little concerned with expounding Marx *à la* Dewey as with preserving the Marxian revolutionary theory in its pristine purity, may venture the opinion that more could be accomplished by bright minds such as the author's if, instead of devoting time and energy to the elucidation of the real Marx, they were to turn toward another subject, perhaps more important in the present juncture, namely, the puzzling deviation of the conduct of Western societies from that laid down for them by the Marxian prognosis. However, it would be unfair to permit such doubts as to the supreme importance of his subject to detract from the author's well deserved credit as an expounder and original critic.

SELIG PERLMAN.

University of Wisconsin.

Political Science. By RAYMOND GARFIELD GETTELL. (Boston and New York: Ginn and Company. 1933. Pp. viii, 488.)

Professor Gettell's *Political Science* must be evaluated in the light of the author's purpose in writing it. He declares his belief that the best introduction to the field of political science consists in a study of the state as an institution. The work is, therefore, an introductory textbook, and it is designed to be a convenient manual for the initiation of college students into the study of the state.

The author has made an interesting and valuable addition to the growing class-room literature of introductory politics. Properly supplemented with collateral materials, many of which have been listed in selected bibliographies, the book should prove useful in the organization of quarter and semester courses. The selection of data for a book as condensed as this one offers many difficulties; the same is true, naturally, of the choice of reference material. But considering the book as a whole, the statement of essential principles of political theory and institutions is well-balanced, and the brevity of discussion as to particular points arises, no doubt, from a determination to be comprehensive in the treatment of the state.

One of the stronger aspects of this book is the emphasis on the development and content of law, both municipal and international, and a certain amount of material from the field of jurisprudence has been worked into the text. The influence of the German theory of state sovereignty, and of Professor Willoughby's *Fundamental Concepts of Public Law*, is evident in the discussion of sovereignty and pluralism. On the other hand, the impact of pluralistic criticism of the ends and functions of the state is made clear. While Fascism as a theory of the nature and function of the

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state is discussed in some detail, the significance of the dictator as a modern form of executive-legislative relationship is hardly more than touched. The work might have been improved, it seems, by a more succinct statement of the importance of pragmatism in contemporary political practices and attitudes.

Perhaps one of the phases of this work which is to be most regretted is the treatment of the philosophical and idealistic conception of the state. It is probable that the author simplified the examination of this subject because of his long experience with the student mind. It may be, however, that in teaching political science the philosophical method is very valuable, and that the method consists less in a statement of abstract ideals and more in a critical discussion of the ends and nature of political society (p. 7).

FRANCIS G. WILSON.

University of Washington.

Standards of Unemployment Insurance. By PAUL H. DOUGLAS. (Chicago: University of Chicago Press. 1933. Pp. 251.)

This book is not only packed with useful information, but is also one of the best organized of several volumes appearing since the country-wide introduction of legislation on the subject. And it is written in the author's well-known easy style. Included are chapters dealing with the case for unemployment insurance, voluntary or compulsory systems, scope, eligibility, benefits, and probable cost. Three-fourths of the volume is admirably done and beyond reproach. It is a pity, therefore, that Douglas, in the remainder of his discussion, has succumbed to the temptation to deal inadequately, and often unfairly, with views not in complete agreement with his own.

Among advocates of unemployment insurance or reserves in America, Douglas holds with those who follow more closely the British "insurance" scheme, as opposed to those who, like Professor John R. Commons, have urged an American plan of "unemployment reserves" following more nearly our experience with workmen's accident compensation. These latter, through persistent discussion for more than a decade, have finally brought about wide public acceptance of the idea of advance provision against involuntary unemployment, and have even put a law upon the statute books in one state. With the ground thus broken, the advocates of "insurance" have been able more recently to secure a hearing which only a few years ago would have been impossible. By the very nature of the problem, the "insurance" plan is, of course, for the most part very similar to the "reserves" proposal, the chief differences being with regard to forced worker contributions and the single pooling of the funds. Advocates of "reserves" have recognized, and even defended, merits of the

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"insurance" plan, and have encouraged those who sponsor it to try it out in states where it is a legislative possibility.

By important omissions and inaccurate emphasis, Douglas presents a misleading picture of this development. While he makes repeated references to the one official state commission report whose conclusions are similar to his own, he completely ignores the reports of the half-dozen other official commissions which have recommended, instead, the unemployment reserves system. He also neglects in his text the report of the Interstate Commission on Unemployment Insurance of February, 1932, and the significant statement of unemployment insurance principles by the American labor movement, both of which were at variance with the Douglas plan. Their importance is recognized by embalming them in the appendices of the book.

The author is also guilty of misrepresenting the reserves plan which he opposes. He selects for attack items from the first tentative draft of the so-called "American plan for unemployment reserves" distributed for criticism in 1930, although incidental reference shows his knowledge of subsequent revisions. Quite superior to the "atomistic efforts" of others, moreover, he comes out roundly in favor of transferring monetary purchasing power from periods of prosperity to periods of depression—as though this transferrence was not equally a feature of unemployment reserves!

Most inexcusable is Douglas' insinuation that Professor Commons and his followers, through proposals for segregated unemployment reserves, are attempting to protect the employers rather than the unemployed. This is an archaic trick of soap-box oratory unworthy of Professor Douglas of the University of Chicago. Professor Commons, a life-long student of labor and industrial problems, and not without practical experience in labor law administration, needs no defense. Douglas himself, after finishing his book, turns and dedicates it to—John R. Commons.

It is noteworthy that Douglas—after insisting in his book upon numerous complexities such as "zones of tolerance" in reference to suitable employment and various weird administrative novelties to show "what the precise features of such a system should be"—later drafted his own bill for introduction in the Illinois legislature; and thus faced by a practical problem, he conveniently left most of his superior gadgets out!

It is splendid to have books on such vital subjects by men of the vigor and resourcefulness of Douglas. It is unfortunate that this book could not, in dealing with related programs, have been less faulty in scientific method and approach.

JOHN B. ANDREWS.
American Asscciation for Labor Legislation.

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Jesse Macy: An Autobiography. Edited and Arranged by his Daughter, KATHARINE MACY NOYES. (Springfield, Ill., and Baltimore, Md.: Charles C. Thomas. 1933. Pp. xvii, 192.)

Some years before his death in 1919, Professor Macy began the writing of his reminiscences of a long and active if not an eventful life, but when the end came he had fully completed only four chapters; several others were in fragmentary form. The task of editing for publication what he had written and of completing as far as possible what he had only sketched was undertaken by his daughter, Mrs. Noyes. President Nollen, of Grinnell College, where Professor Macy taught for many years, contributed a chapter on the college and the town, and Dr. Albert Shaw, once a student and long an intimate friend of the professor, contributed a foreword in which he evaluated his character as a man, as a teacher, and as an author, and reviewed some of the events of his life as Dr. Shaw witnessed them.

Born in Indiana, Professor Macy early in life moved with his parents to Iowa, where they settled on a farm (1856). Not the least of the interesting features of his autobiography is a vivid description of the pioneer conditions amid which he was reared, and especially those of an educational, social, and economic character. Drafted into military service during the Civil War, he participated in Sherman's March to the Sea as a Quaker non-combatant. Graduating from Iowa College (now Grinnell) in 1870, he taught Latin, Greek, mathematics, and other subjects in a local academy, finally becoming professor of political science in his alma mater in 1885—a post which he occupied until 1912, when he retired after forty-two years of service as a teacher. From time to time, he taught in the summer sessions of other universities, and in 1913 he held the James Hazen Hyde lectureship in various French universities. In 1916, his high standing was recognized by his election as president of the American Political Science Association. He became well known in the eighteen-eighties to teachers of government throughout the country by the publication of a widely used textbook entitled *Our Government*—one of the first books of its kind ever published in this country. Among other books which he published in later years were *The English Constitution* (1897), *Political Parties* (1900), *Party Organization and Machinery* (1904), and *Comparative Free Government* (with John Gannaway in 1915).

While these books were recognized contributions in their respective fields, Professor Macy was first and foremost a teacher and social philosopher. He may be regarded as one of the pioneers in the field of political science in this country; certainly he was a professor of political science when such professorships were very rare in American colleges and universities. Upon the development and teaching of the subject he exerted

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an important influence, and his autobiography will be read with profit by all persons interested in that matter.

JAMES W. GARNER.

University of Illinois.

BRIEFER NOTICES

AMERICAN NATIONAL GOVERNMENT AND CONSTITUTIONAL LAW

In the preface to *American Constitutional History* (W. W. Norton and Company, pp. xi, 527), the authors, Erik McKinley Eriksson and David Nelson Rowe, explain that their experience in teaching American constitutional history to college students "has demonstrated that most of those studying the subject are not well trained in American history and, therefore, are not adequately prepared for any highly technical expositions of constitutional development." Evidently with these students and the general public in mind, they "have not undertaken to unearth new facts or to make new and unique interpretations in relation to American constitutional history." Within the limitations set by the preface, they have produced a serviceable book. Students with the proper background, however, will find in it little that is new, and it is questionable whether a more mature treatment might not better have met the needs of most college students of constitutional history. The first two hundred pages are given over to the colonial background, the Revolution, the original state governments, the Confederation, and the framing and ratification of the Constitution. Then follows a topical treatment of such matters as the creation of federal agencies, expansion through amendment, judicial interpretation, legislative expansion, the executive, the influence of custom, state and federal relations, and federal war powers. The historical sketches of the twenty amendments are especially well written. The book is elementary, but will be found useful, even by those teachers who believe that college students can stand stronger diet.—W. REED WEST.

In preparing *The American Transportation Problem* (Brookings Institution, pp. lxxix, 910), Dr. Harold G. Moulton and Associates have rendered a notable service. The study brings together in a systematic manner the essential issues involved in stabilizing and reorganizing American transportation. The report of the National Transportation Committee, better known as the Coolidge-Smith Committee, is reprinted as an introduction to the volume. The study is presented in a very logical manner, which increases its value to those who are interested in the problem from a point of view other than operator or investor. The first section is concerned with a general analysis of the railroad problem as well as a brief historical statement. The second discusses the factors affecting railway net income, including the decline of passenger business, rates, wages,

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operating costs, obsolescent lines, taxation, and other unproductive expenditures. The third section covers financial structure and financial policies, including a very carefully prepared statement on railroad capitalization. The fourth section is devoted to the regulation of the level of rates. At this point, the results of the use of the recapture clause are analyzed, as well as various valuation principles. Part five covers water transportation; part six, highway transportation; and part seven,other agencies such as pipe lines and air transportation. The two final sections are concerned with stabilization of the railroad industry, including consolidation and reorientation in transportation regulation. The final chapter in part nine is a discussion of the need for a new transportation policy. Much has been written on these problems, but it remained for Mr. Moulton and his associates to bring together all of the material, with the conflicting points of view, and to summarize it so that one could see the problem without too much detail. The final chapter on "The Need for a New Transportation Policy" is a candid statement of a new policy. Failure to agree with any aspect of these recommendations does not in any way detract from the factual presentation, and the book is arranged so that the casual reader may dip in at those sections which excite his interest. Throughout these proposals runs the idea that in the operation and control of our transportation system there should be some planning, so that the transportation system which is essential to public welfare can be coördinated. A selected bibliography and an index add to the usefulness of the volume.—FINLA G. CRAWFORD.

As a description of the background and operation of the Doak "reorganization" of the federal employment service, *The United States Employment Service* (University of Chicago Press, pp. 192), by Ruth M. Kellogg, although completed only a few months ago, is now of interest chiefly as the record of a past mistake. For on June 2 the Wagner employment office bill—the veto of which by President Hoover in 1931 led to the notorious "reorganization" under Secretary Doak—was again enacted by Congress and promptly signed by President Roosevelt. Even before Congress acted, the last of the Doak employment offices had been closed by the new Secretary of Labor, Frances Perkins. Miss Kellogg's book therefore traces the history of public employment offices in this country up to the beginning of a new and, it is confidently expected, a happier chapter. In recounting the earlier stages of the development, Miss Kellogg draws heavily upon secondary sources; but her description of the state and federal services as they existed in 1932 provides useful information which has not been readily available. For the most part, the monograph is a report of an inquiry into the Doak "reorganization," including field investigations, made by the author under the auspices of the Social

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Science Research Committee of the University of Chicago. Professor Millis, in his introductory statement, asserts that although there has been much adverse criticism of the "reorganization," "accurate information has been lacking for formation of a fair judgment." The results of this "impartial inquiry," nevertheless, fully and in much detail confirm the most damaging charges made by the adverse critics. It reveals little that is qualitatively new. It does, however, lend added weight and emphasis to the verdict against the Hoover-Doak set-up and confirms once more the need for the federal-state plan now provided in the Wagner Act. It is a useful service thus to recheck the facts and to present the picture whole in a single readable volume.—JOHN B. ANDREWS.

In a previous volume, Professor Dexter Perkins has related the history of the Monroe Doctrine down to 1826. In his *The Monroe Doctrine, 1826–1867* (The Johns Hopkins Press, pp. xii, 580), he now brings the story down to the evacuation of Mexico by the French. The period immediately following 1826 the author calls one of "quiescence," when European countries violated the Monroe Doctrine, for example in the seizure of the Falkland Islands by Great Britain, and the United States made no protests. Successive chapters deal with "Revival," "New Interpretations," "The Central American Question," and "Santo Domingo." The last four chapters, nearly half of the book, are given over to conditions in Mexico and the doctrine as applied there, mainly against France. The author thinks that the seizure of the Falkland Islands was clearly a violation of the Monroe Doctrine, if they belonged to Argentina; but he inclines to the other side, and says that the question has never interested the people of the United States. He might have told us that Argentina was very much interested in it and claimed damages from the United States as late as 1885. He thinks that the year 1845 was crucial "in the history of the great diplomatic shibboleth," for it gave rise to the so-called "Polk Doctrine"—to the effect that even diplomatic intervention was forbidden. Although this went "far beyond the Monroe principles," the author mildly apologizes for it (p. 91). It was hardly noticed by the British government, but roundly denounced by the British press. At this period, parties inclined to divide on the doctrine, the Democrats being strong for it, the Whigs inclined to minimize or ignore it. By a vote nearly partisan, the Senate refused to permit the introduction of a resolution endorsing Polk's stand and going somewhat beyond it. Seward, a Whig, was willing, out of respect for J. Q. Adams, to endorse Monroe's message of 1823, but regretted that the question had come up. A decade later, this same Seward was to deal with the most serious violation of the Monroe Doctrine ever staged, yet he never once mentioned Monroe. Professor Perkins has performed his task with thoroughness. Judging by his citations, he has ran-

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sacked the source material of two continents, and there seems to be little left for the future researcher to do on two phases of the doctrine, non-colonization and armed interference. No reference is made to our policy of non-interference in European wars and politics. Neither is any allusion made to the attempts of prominent Confederates to interest Napoleon and Maximilian in an alliance. This, however, was not a matter of great importance. A. H. Sevier was never a senator from Tennessee (p. 75).—DAVID Y. THOMAS.

The title of *Unified American Government.* (McGraw-Hill Book Company, pp. ix, 719), by Jeremiah S. Young and Elizabeth Young Wright—a textbook designed for senior high-school students—is explained by the fact that the authors describe the national, state, and local governments of the United States together, not separately; they believe that the American political process should be studied as a unit. With this approach the reviewer is in complete sympathy. By pointing out the similarities and differences between the President and the state governor, the Congress and the state legislature, and the national and state courts, the student is much better able to understand and appreciate American government as an instrument of our society. If a study of comparative government is the key to a better understanding of our own political institutions and practices, it is equally the case that an examination of the many interesting institutional variations which occur in our own land offers the key to an intelligent understanding of the American political system. The text is a happy departure from "Community Civics," "Social Civics," "Civic Sociology," and "Sociological Civics"—titles borne by a myriad of secondary school books in political science published during the last decade. In the volume under review, the student is grounded thoroughly in the principles and practices of American government. His intellectual energies are not dissipated in a superficial survey of crop production, banking, methods of play, home life, how to keep teeth clean, and religious precepts. Let the high school student master the materials in *Unified American Government* and he will know American political institutions. The mechanical equipment throughout should make the text teachable. The subject-matter, written in a clear, straightforward style, is arranged under topical headings, some of them enumerated for clarity and definiteness. Technical terms, for the most part, are adequately defined. Suggestive questions and a list of readings at the end of each chapter, together with a comprehensive index, will appeal alike to teachers and students.—GEDDES W. RUTHERFORD.

After some six years of use in the class-room, Professor Finla G. Crawford's well-known *Readings in American Government* (F. S. Crofts and Company, pp. xv, 756) appears in a second and revised edition. The gen-

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eral plan of the book has not been altered, but the documentary and other selections included have been overhauled with a view to introducing points of view and presenting materials now current. A new feature is the inclusion of several significant decisions of the Supreme Court. The selections are arranged in twenty-seven chapters, following the general order of the standard textbooks, to which references are appended.

STATE AND LOCAL GOVERNMENT

The Metropolitan Community (McGraw-Hill Book Company, pp. xi, 352), by R. D. McKenzie, is a sociological study of the social and economic structure of metropolitan communities. Professor McKenzie is responsible for two-thirds of the book and for its conclusions. One-third consists of contributions by other authors. The volume—a monograph accompanying the report on Recent Social Trends—is divided into five parts. Part I surveys the drift of population to large centers—due nowadays, it is indicated, to the tendency of commerce and cultural activity, rather than of manufacturing, to concentrate at focal points. Part II examines the commercial and occupational structure of metropolitan communities and shows that it tends to be uniform, each part of a metropolitan community performing a different function according to a definite pattern. Part III treats of inter-city rivalry and relations generally. Part IV reviews the various changes which take place in a metropolitan community in the course of its expansion, such as the growth of certain sections and obsolescence of others. Part V discusses certain problems of the metropolitan community, such as traffic, planning, zoning, and governmental organization. It also presents the conclusions, the principal one of which is to the effect that metropolitan communities are here to stay and will play an ever more important rôle in national and world economy. The book contains a wealth of material laboriously collected from various sources. A great number of interesting trends are noted, but the historical perspective in which they are viewed is not always adequate. The metropolitan community is regarded as the product of motor transportation (p. 143). Its development years before as a result of such factors as suburban railway commutation is ignored. The fact that many of the developments observed are mere continuations and accentuations of long-existing trends is generally not brought out. Curiously enough, while ample references are given to minute sources, no reference is made to certain very broad and pioneering studies of the same subject made by other investigators. Thus, Gras's name is mentioned only fleetingly (p. 78), and no bibliographical reference is given to his "Introduction," nearly one-half of which is devoted to a study of the development, structure, and rivalries of metropolitan regions. Nor is any reference made to the rather voluminous report on *The Government of*

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Metropolitan Areas, issued by a committee of the National Municipal League in 1930, in which the political phases of metropolitan communities were treated much more comprehensively than was possible for the present authors. The latter omission is particularly strange in view of the fact that some of the material presented bearing on these political phases is very similar to that contained in the report, that table 99 on page 306, for example, was taken almost bodily from table x facing page 256 of the report, and that the collaborator responsible for this transplantation was a member of the committee which issued the report. Despite these faults and the sketchiness of certain chapters, the book is a noteworthy addition to the literature of the subject.—PAUL STUDENSKI.

Contemporary sociologists, as well as future historians, should prize the careful portrayal and penetrating analysis of *Rural Social Trends*, by Edmund de S. Brunner and J. H. Kolb (McGraw-Hill Book Company, pp. 386), included among the monographs accompanying the report of the President's Research Committee on Social Trends. The first five chapters discuss those factors that underlie and condition rural social life—that is, the mobility and changing characteristics of rural population, the structure of rural communities, and the inter-relationships of open country, village, and city dwellers. The next six chapters analyze the developments in various rural institutions—economic, educational, social, religious, and governmental. The recorded trends are not based merely on observation, but in many instances on quantitative measurements taken several years apart in identical communities. Seventy-five pages of source material are included in an appendix. Space permits mention of only a few of the trends. The farm population is becoming increasingly homogeneous. There is increasing rapport between the farmer and the villager. The country villages are holding their own. Class distinctions are breaking down. A chapter devoted to local government points out that there has been little change in its units and forms, but that there have been changes in the allocation of functions and in the methods of administration. Local units of government no longer conform to the social and economic relations of rural society, yet a widespread demand for reorganization has yielded little in actual accomplishment. The allusion to "sixty-four county consolidations in twenty states" is certainly an error; the authors must have meant "proposed consolidations." The state governments have been steadily acquiring greater influence over and control of local functions and agencies, partly through the ever-expanding use of the grant-in-aid. The authors believe that the trends in local government are not sufficiently distinct to warrant an opinion as to their ultimate direction, but they agree that "the field is one in which there is great need for study, and above all for courageous

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experimentation and demonstration." The volume would have lost much of its scientific quality and historical value had it failed to conclude with a short chapter showing how long-time trends have been checked, diverted, or reversed by the depression. Only the future will reveal whether their former course will be renewed or whether we have come to the end of an epoch. The authors have handled their assignment in a scholarly, unbiased, and interesting manner. They have made a real contribution to social history.—PAUL W. WAGER.

How To Cut City Costs; Practical Suggestions for Constructive Economy in Local Government (pp. 58), by Clarence E. Ridley and Orin F. Nolting, of the International City Managers' Association, and published by the Association, is an excellent brief presentation of recognized sound principles of municipal organization and administrative practice. It consists of fourteen short chapters on economies in management, in office practice, financial administration, personnel, public welfare, public works, police administration, and similar subjects—chapters which first appeared in *Public Management*. For the most part, the economies suggested are those which, in the long run, result from proper organization and efficient administration. Emphasis is placed upon centralized responsibility, departmental coördination, centralized administrative and financial control, and the establishment of standards and units of measurement. Of necessity, most of the suggestions are general in character. However, specific suggestions are made in numerous instances. On the whole, the suggestions are certainly sound, although in a few cases the proposals might prove controversial, as, for example, the suggestion that boards of education be abolished and schools made a regular department of the city government under a superintendent appointed by the governing authority of the city. Some might also question the advisability of suggested economies in elections which might have the effect of increasing the trouble of voting and of reducing popular participation in the selection of officials. This pamphlet is a discussion based on a previous and smaller pamphlet by the same authors, and published by the same organization, *How to Reduce Municipal Expenditures*, which contained a list of 295 specific suggestions for constructive economy in municipal government.—FORD H. MACGREGOR.

An interesting study of a public service as effected by contemporary economic conditions is *Current Problems in Public Library Finance* (Chicago, American Library Association, pp. viii, 128), edited by Carl Vitz, librarian of the Toledo Public Library. The book is offered frankly as a "depression volume," in the hope that it may contribute to saving the public library system of the country from the destruction which threatens it, and is issued without prejudice to the plan of the American Library

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Association ultimately to sponsor a complete treatise on the business administration of public libraries and their financial problems. The present work, however, opening with a chapter by Mr. Vitz on "The Library as a Government Agency," will be of value to students of governmental functions and public administration.

Alexander Spotswood, Governor of Colonial Virginia, 1710–1722 (University of Pennsylvania Press, pp. x, 323), by Leonidas Dodson, consists of separate studies of Virginia's government, land system, commerce, Indian affairs, westward expansion, church, and politics during the term of Lieutenant-Governor Spotswood. Mr. Dodson's research is sound and his writing readable. The approach is institutional; the method and treatment are suggestive of Osgood's work. Synthesis has not been carried very far beyond the stage of classification of facts. Since Mr. Dodson's conclusions agree with the findings of previous scholars, the main contribution of the volume is a precise and detailed elaboration of subjects whose principal outlines were already known.—CURTIS NETTELS.

FOREIGN AND COMPARATIVE GOVERNMENT

Unquestionably the most valuable work on the constitutional system of the Spanish republic as yet published is *La nouvelle constitution espagnole* (Paris, Sirey, pp. 296), by Alfonso Posada, dean of the faculty of law at Madrid. The student of comparative government and constitutional law has here at his disposal an almost ideal commentary, including a survey of Spanish constitutional evolution in the nineteenth century, a critical narrative of the gradual elaboration of the constitution of 1931, and a detailed textual analysis, article by article, of the completed document. This last feature is all the more valuable since the author personally collaborated in the drafting of the constitution, a fact which illuminates, but does not mar, the objectivity of the study. It is noteworthy that Dean Posada devotes much space to what is in essence, though not avowedly, a refutation of the frequent foreign comment to the effect that the revolution of 1931 was merely "old wine in new bottles." Though one may easily discern in the background the influence of nineteenth-century liberalism, one should not, the author contends, overlook the fact that both the nature of the problems and the lines of social cleavage have been profoundly altered within recent times in all countries. "Nowadays," he trenchantly observes, "revolutions of a political character—with military leaders and a *pronunciamiento*—are no longer possible. . . . The problems latent in the conscience of every modern people are more *de fond* than concerned with institutional structure. . . . What is actually in question is not the political significance of a government but the social structure of a state." Only the future can tell how well the Spanish con-

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stitution-makers have answered this challenge, but Dr. Posada is wisely aware of the fact that any constitution is merely "the work of a legislator; it is only afterwards, when it has fulfilled its function in and for the people, that one may see if it is something more, if it is a constitution of the people." The French text of the constitution, as given in the Dareste collection, is a useful appendix to the work.—GRAYSON L. KIRK.

One of the most useful publications issued recently by the League of Nations is a *Review of the Economic Councils in the Different Countries of the World* (Geneva, pp. 105), prepared for the Economic Committee by Dr. Elli Lindner. After brief introductory and explanatory matter, the author presents, country by country (grouped by continents); the salient facts about the origins, growth, machinery, and functioning of existing economic councils, together with bodies—such as boards of trade, wage boards, and shipping boards—which in varying degrees approximate organizations of that nature. The total number of countries covered is forty, although of course in a good many instancies the agencies treated lack much of being economic councils in the full and generally accepted meaning of the term. In the case of the United States, for example, the agencies briefly dealt with are the Barnes Committee, set up by the national Chamber of Commerce, and the Reconstruction Finance Corporation. A final synopsis classifies the organizations as (1) representative advisory councils, (2) advisory councils of experts, (3) permanent special councils for specific trades and occupations, (4) committees or councils for special questions, (5) advisory councils attached to a particular ministry, (6) committees formed from economic departments or other authorities, and (7) occupational chambers. There are, in addition, bibliographical and chronological tables listing, by countries, the legislation or other official acts on which the organizations rest.—F. A. O.

A. M. Andreades is numbered among the outstanding scholars of our day on the economic history of ancient Greece. An economist by training, he happily combines economic scholarship (often lacking among historians treating of economic problems) with historical talent, and with a thorough knowledge of various sources on the history of ancient Greece. The first volume of his *History of Greek Public Finance* (Harvard University Press, pp. xx, 412), competently translated by Carroll N. Brown, is a revised and enlarged edition, even as compared with the second Greek edition of 1928 and the German translation by Ernst Meyer published in 1931. It covers the period from the Homeric epoch to that of the Macedonian monarchies. Though at first glance seeming to concern only ancient times, the work is of deep interest and importance for our day, especially the portion dealing with the expenses, taxes, and disastrous

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results connected with the Peloponnesian War, the first "world war" in history. A fundamental and stimulating book.—ALEXANDER A. VASILIEV.

Walter H. Ritsher's *Municipal Government in the Lebanon* (American Press, Beirut, pp. 48) breaks new ground in the sense that it deals with a subject on which practically nothing has hitherto been written in any language. The study is confined largely to an exposition of structural arrangements and forms of procedure, but the author hopes later to extend it to include an examination into the workings of the system. While the pamphlet was in press, Arrête 1208 of March 10, 1922, on which the system is largely based, was amended at a number of points, but there was fortunately time in which to add an appendix listing the principal changes made.

INTERNATIONAL LAW AND RELATIONS

The Problem of Disarmament (Berlin: Carl Heymanns Verlag, pp. 235), edited by Richard Schmidt and Adolf Grabowsky, and published as an English supplement to the *Zeitschrift für Politik*, is a collection of twenty papers on various aspects of disarmament. All of the papers are by Germans of the highest standing and competence, and the book may therefore be said to present the problem of disarmament from the moderate and intelligent German point of view. For example, Baron von Neurath and Dr. Curtius, in separate papers, explain the fundamentals of German disarmament policy; General Groener discusses the relation between the disarmament provisions of the Treaty of Versailles and the internal politics of Germany; Professor Jaeckh writes penetratingly on the German and French psychological attitude toward the disarmament problem and the relation of those attitudes to the respective national policies; Dr. Jajo Holborn traces the origins of Article 8 of the League Covenant; Dr. Karl Schwendemann describes in detail the developments in the Disarmament Conference; and Count Montgelas analyzes the French proposal for an international force. Other papers deal with such problems as French security, budgetary limitation, naval disarmament, internationalization of aviation, trained reserves, and the like. In addition, there is an appendix in which are reproduced the documents of the Disarmament Conference most important from the German point of view, and a series of tables admirably summarizing the proposals laid before the Conference, the attitude of the various governments toward those proposals, and the results achieved up to the time of publication. In various of these papers, there is naturally a good deal of bias for the German case, some bitter attack on France in particular, and some misrepresentation of the French position. General Groener argues feelingly for the sovereign right of Germany to arm, quoting Hegel to substantiate his view that in the state "which no longer is allowed to dis-

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pose of its citizens for military service . . . the citizens lack the possibility of the highest moral action toward their native land." Count Montgelas not only condemns the French proposal for a League army as impracticable and immoral, but also declares that "the whole proposal to internationalize civil aviation is obviously directed against Germany," and considers even the Geneva Protocol, the General Act, and other proposals for arbitration to be similarly directed at Germany, presumably because they were either proposed or supported by France. Baron von Neurath and Dr. Curtius, on the other hand, state forcefully the legal and political case for German equality, but without any suggestion of a desire for rearmament; and the paper by Professor Jaeckh is a model of impartiality in its analysis of the French and German mentalities and policies. As a whole, the collection is an excellent statement of the German case, a reasonably objective presentation of the problems and difficulties of disarmament, and a valuable addition to the vast literature on this extraordinarily complicated question.—CLARENCE A. BERDAHL.

The subject of Oswald Henry Wedel's monograph, *Austro-German Relations, 1908–1914* (Stanford University Press, pp. vi, 331) is the dual alliance of Germany and Austria-Hungary during the critical years from 1908 to 1914. An introductory first chapter, based largely on secondary sources, traces the history of this agreement up to the critical year 1908. Six chapters then attempt to show the reaction of the two governments to the succession of international crises that filled the years from that date to the World War, and to determine the influence of the leading personalities of the two countries on diplomatic policies. A short final chapter states the author's conclusions. Mr. Wedel finds that the two Powers never agreed as to the meaning of the alliance. Bismarck assumed that the agreement would assure Germany against attack and give her the leadership. From fear of being isolated, Bülow began to support Austria-Hungary in its struggles against the tide of nationalism in the Balkans. This decision started Germany on the path that led to 1914. With the assumption of the chancellorship by Bethmann-Hollweg in July, 1909, Kiderlen-Waechter began to dictate German policy and attempted to swing the alliance back to the original Bismarckian conception. After the latter's death in 1912, William II began to interfere again in foreign affairs and allowed Austria-Hungary to take the direction of affairs. In 1914, however, the Triple Entente stood its ground when the leaders of the dual monarchy created a crisis and the World War broke out. In writing his book the author displays a thorough acquaintance with the principal sources, a knowledge of history that ranges from Wallenstein to Berchtold, and maturity and independence of judgment. He thinks, for example, that Austria-Hungary blundered in 1908 in not using the

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Sanjak as a basis of bargaining with the Turks, that Schwarzenberg was the peerless statesman of the nineteenth century, and that Berchtold was much better than he has usually been painted. He measures each political personality, however, by the standard of the fullness of his realization of the necessity for the unity of Central Europe. Judged by this yardstick, Bismarck was a rather provincial diplomat.—C. P. HIGBY.

Delivered originally before the Geneva Institut Universitaire de Hautes Etudes Internationales, a series of lectures by Professor Otto Hoetzsch, of the University of Berlin, brought together in *La politique extérieure de l'Allemagne de 1871 à 1914* (Geneva, Kundig, pp. 87) provides a lucid summary of pre-war German foreign policy. There are no startling revelations, but it is doubtful whether there exists elsewhere an equally concise and well-integrated interpretation. The author has scant praise for the policies of von Bülow, and even less for what he terms "*l'activité nettement pernicieuse de Holstein.*" He is, however, of the opinion that Emperor William has been unjustly criticized and that, far better than many of his advisers, he understood the dangers inherent in the position into which Germany had allowed herself to be led.

For eight years, H. Foster Bain's *Ores and Industry in the Far East* has been a standard work on a subject which, when the book was first published, stood in great need of illumination. A revised edition (Council on Foreign Relations, pp. xvi, 288) has now been issued. The opening chapter, "Minerals: The Basis of Modern Industry," has been rewritten; the contents of other chapters have been revised extensively and figures of production and reserves brought down to date; a brief new chapter summarizes the available information on the mineral situation in two areas now specially in the public eye, Manchuria and Jehol. The general conclusion of the book remains the same, namely, that, "as a whole, the Far East suffers from a general deficiency rather than an excess of mineral wealth as judged by modern industrial standards."

Orestes Ferrara, *Tentatives de Intervención Europea en America* (Habana, pp. 176) is a thorough and well documented analysis of the steps taken by and on behalf of Spain to crystallize opposition to intervention by the United States in Cuba in 1898. The study is based largely on diplomatic archives of the six major European Powers, not heretofore available. Dynastic influences, the desire to defend the monarchical system, and apprehension concerning the rôle that the United States might later play in European and world affairs are all analyzed in a scholarly manner by one of the leading Cuban men of affairs.—CHESTER LLOYD JONES.

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Volume 166 (March, 1933) of the *Annals of the American Academy of Political and Social Science*, edited by Alice S. Cheyney, is devoted to an extended series of articles, by twenty-one different authors, on the International Labor Organization. Among the contributors are Professors James T. Shotwell, Joseph P. Chamberlain, Amy Hewes, Francis G. Wilson, and Charles W. Pipkin. Six of the articles have to do with aspects of the relations of the United States with the Organization. There is also a documentary appendix.

Professor James W. Angell has prepared for the World Peace Foundation *The Program for the World Economic Conference* (pp. 93). Except for a cursory introduction, the book contains merely a reprint of the draft annotated agenda as submitted by the Preparatory Commission, together with the texts of the Oslo and Ouchy tariff truce conventions.

The *Eighth Annual Report of the Permanent Court of International Justice* (Leyden, Sijthoff, pp. 475) is of particular interest in view of the important decisions delivered during the period. Among them, special attention may be drawn to the advisory opinion in the Austro-German customs union controversy. The bibliography includes almost five hundred new titles of official and unofficial publications concerning the Court.

POLITICAL THEORY AND MISCELLANEOUS

Perhaps it must be taken for granted that the administrative official cannot exercise discretion and at the same time be limited by the rigid rules of substantive law. Can he (perhaps, should he) be bound by procedural law, by the common law rules of evidence, and still function as a discretionary agent? This is the question upon which Harold M. Stephens endeavors to throw light in his *Administrative Tribunals and the Rules of Evidence* (Harvard University Press, pp. 128). He includes in his research the outstanding regulatory commissions of both national and state governments; he adds to these the agency for administering the national alien laws and touches incidentally upon the state tax assessment and equalization authorities. The author hopes to illuminate the above question by discovering what rules, considered necessary by the courts in obtaining accurate and honest evidence, are "not applied, why they are not applied, and with what effect." An examination of the statutes, administrative rules and practices, and pertinent higher court decisions yielded the following results: (1) the common law rules dealing with hearsay, best evidence, and opinion are not generally demanded by the legislature, the administrator, or the higher courts; (2) official and judge, for the most part, agree that the former cannot implement the general policy of the legislature if he must be bound by the common law rules; (3) the effect of

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non-application has not been harmful but positively good; (4) the courts demand that the evidence upon which decision is based must be in the record, however that evidence is reached. The author, after many qualifications, seems to conclude with an argument for holding to the essential rules of evidence in administrative proceedings on the basis of common sense and judicial experience. His findings do not back him up in his belief that rules of evidence will ferret out social and economic facts better than the "free method" of the expert official. More objective material and fewer preconceived notions of what is will be necessary in order to fix limitations upon the procedural methods of administrative officers.—J. P. COMER.

In a year when government is spreading its control over an ever-widening area of human activities, when the national administration is entering into "partnership" with business, when reforestation camps are regimenting the unemployed—in such a period of socialization a study of left-wing individualism affords a sharp contrast against which to evaluate present tendencies. In her *Native American Anarchism; A Study of Left-Wing American Individualism* (Smith College Studies in History, pp. 202), Eunice M. Schuster surveys historically the "native American," as distinguished from the "foreign," schools of anarchism, the teachings of William Lloyd Garrison and Benjamin R. Tucker as distinguished from those of Emma Goldman and Alexander Berkson. The study begins with the Antinomians and the Quakers of the colonial period, examines the influences of the Rousseauean Romanticism and of the anti-slavery campaign, and explores into the labor anarchist movement of the post-Civil War period. Against this carefully documented, scholarly piece of research only three criticisms can be brought. In the first place, the work tends to fall into the error that characterizes many other scholastic studies—over-classification. The author lists for us individual anarchism, Christian anarchism, mutualist anarchism, anarcho-syndicalism, and communist-anarchism; but in the analysis of the works of anarchist philosophers it is difficult to detect the sharp lines of demarcation among the specified groups. In the second place, the preface to the volume suggests aspects of anarchism, other than the historical, which, though worthy of study, are omitted for lack of time. Certain of these suggestions, especially as to an analysis of the psychological factors that go into the making of an anarchist, deserve attention in a complete examination of the movement. And in the third place, the author avoids any serious attempt at evaluating anarchist philosophy in the light of present tendencies, both at Moscow and at Washington, that expand the sphere of societal control and lessen the independence of the individual. Despite these criticisms, however, the volume offers valuable material to students

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of historical thought, and its extensive bibliography contains many useful references.—J. MARK JACOBSON.

Dr. Edward T. Devine has been writing for many years in the field of philanthrophy and social welfare, and has been easily one of the first authorities in organized social work. In *Progressive Social Action* (The Macmillan Company, pp. 225), he turns his attention to the field of progressive social action and gives us a volume in the dynamics of the social order. The approach to the subject is from the point of view of social work. The author sets forth the meleoristic view of society by "expressing the faith that things may turn out well provided the right things are done." This may serve "as an incentive to action, as a generator of enthusiasm and confidence, quite as well as any conservative determination to retain privileges and possessions; quite as well as any utopian vision or fierce revolutionary doctrine." From this point of view, the author proceeds to discuss the great subjects of the day: world citizenship; economic citizenship; the housing problems; poverty, disease, and crime (which the author calls "the three persistent problems"); and, finally, the subject of social ideals, including their historical origins; leadership of the religious faiths; social creed of the churches (with a succinct statement of each); and religious citizenship. Typical of the point of view are the following quotations: "There is no more urgent task of public education than preparation for world citizenship." "There is an emerging world order. We are concerned both with the fact and with the form which such world order may take." To this end, the author discusses practicable measures concerning debts, tariffs, and the war system. "Next to the achievement of world citizenship, our most important task is preparation for a more intelligent and successful participation in our common economic life." Finally, there is a discussion of industrial democracy, rural problems, and the planning and control of the economic order. As a broad sketch of what is in the minds of millions of people today, *Progressive Social Action* should take a high place.—JOHN A. LAPP.

Dr. Clifford Kirkpatrick's *Report of a Research into the Attitudes and Habits of Radio Listeners* (St. Paul: Webb Book Publishing Company, pp. 63) was undertaken, says the author, in the belief that more specific information concerning the reactions of radio listeners and the trend of their reactions might result in constructive compromises and adjustments such that more people might get what they want without loss in satisfaction to others." To obtain data for the study, the author resorted to the use of a questionnaire. Six hundred and ninety-eight Minneapolis telephone subscribers were asked to answer thirty-five questions relating to their reactions to programs broadcast over the air, and most of them answered the questions. A majority of the questions answered have little

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bearing on the effectiveness of radio programs on civic education. The answers to some, however, do shed some light on problems which are of interest to those sponsoring programs in political education by radio. In the first place, the conclusion is reached that whereas political speeches stand lowest in the list of preferences of the radio listeners interviewed, news and informational radio programs stand highest, jazz music being a poor third. A large proportion of the news and informational programs, of course, send out press dispatches on political developments in the United States and in foreign countries. Secondly, "news and informational programs ranked first in preference, but only 6.7 per cent of the sample broadcasting time was devoted to education in a broad sense. . . . It would seem that there is a genuine discrepancy between the type of program desired and those offered."—GEDDES W. RUTHERFORD.

Cecil Rhodes (D. Appleton Company, pp. 179), by William Plomer, is another "deflating" biography of the type which has become very familiar in recent years. With many Brutan assertions that Rhodes was surely a great man, the author proceeds to show that he was in fact a megalomaniac, an unscrupulous capitalist, bending every effort to an *idée fixe*, namely, that the British have a right to rule most of the human race and to impose their standards of civilization upon the remainder. Even with the detractions made from Rhodes's fame in the interest of truth, his career is still an arresting saga of empire-building, and Mr. Plomer makes effective use of its literary possibilities. The author does not hesitate to employ biographical writing as a vehicle for the expression of his own views, and the reader will find, scattered throughout the book, short essays on a variety of subjects, which, taken together, form a critique of considerable value on British colonial policies. To over-simplify somewhat, it can be said that the point of view represented is pro-native, anti-imperialistic, and pacifist. The characterization of Rhodes is fresh and challenging, and the style is of such excellence, and the subject so interesting, as to commend the book very highly to the general reader.—JOSEPH R. STARR.

The story of the far-flung and vicious civil war which followed the 1917 revolutions in Russia has been told in many books from the side of the Reds. In George Stewart's *The White Armies of Russia; A Chronicle of Counter-Revolution and Allied Intervention* (The Macmillan Company, pp. xvi, 469), it is told for the first time, in a full and adequate way, from the side of the Whites. Recognizing that the conflict—waged on many fronts, from the Ukraine to the Pacific and from Archangel to the Caspian —was too vast to be viewed at the time or described today in its entirety by any one person, the author frankly passes over the achievements and sufferings of the Red armies and concentrates on the attempt to give "a

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total picture of the anti-Bolshevik efforts." His method is that of a spirited narrative, illumined by numerous photographs and maps, and the result is an interesting and useful book. A twelve-page bibliography lists the significant sources and secondary works, both in Russian and in other languages.

In *Leninism*, Vol. II (The International Publishers, pp. 468), Joseph Stalin enlarges upon and develops further, with special reference to the present-day problems of the Soviet Union, the basic tenets and policies described in *Leninism*, Vol. I, previously noticed in this REVIEW. The addresses and reports here presented deal with collectivization, industrialization, the Five Year Plan, dangers from friction in the Communist party, the international political situation, and sundry problems pertaining to the planning and building of a socialist economy. Speeches, interviews, and articles round out the volume into a comprehensive presentation of Leninism and its latest developments. Particularly significant is a lengthy speech delivered at a conference of industrial leaders in June, 1931, on "New Conditions, New Tasks" (pp. 426–445).

As our own complex and troublous times are approached, the writing of "period" histories grows more difficult and hazardous. That young historians are not daunted is evidenced afresh by Walter C. Langsam's *The World Since 1914* (Henry Holt and Company, pp. xv, 723), a book planned with intelligence and executed with considerable skill. Part I, in nine chapters, tells the story of the World War, the founding and workings of the League of Nations, and the efforts of the past fourteen years centering around reparations, security, and disarmament. Part II, in thirteen chapters, deals with "national scenes"—Great Britain, the British Empire, France, Fascist Italy, and the rest, concluding with a thirty-page review of affairs in the United States. Within the limitations imposed by so encyclopaedic a plan, Dr. Langsam has performed his task commendably.

In the third edition of his *Economic Development of the United States* (D. Appleton Company, pp. xxii, 734), Professor Isaac Lippincott, of Washington University, has sought not only to bring his factual material down to date but to "give a new appraisal of our economic development in the light of the changes of the past few years." Considering that economic changes cannot be understood without "a side-glance" at political and social changes, he has included brief chapters on political and social conditions in the colonial period, in the mid-nineteenth-century period, and in the days since the World War. Students of American government, politics, and constitutional law will find the volume useful for reference.

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From the press of the International Publishers, New York City, has come, as Volume IX of the Marxist Library, a well-printed little book bearing the general title *The Civil War in France* (pp. 92), and containing chiefly an address of the General Council of the International Workingmen's Association inspired by the Paris Commune and issued to members of the Association from London on May 30, 1871. There are included also an Introduction prepared by Friedrich Engels to accompany a later edition, two addresses of the International in 1870 on the Franco-Prussian War, and a speech delivered by Lenin in Geneva in 1908 at an international meeting in commemoration of the Commune.

A New Social Order (The John Day Company, pp. 28) is an address by Walter Lippman delivered at the University of California last March. With characteristic clarity, the author indicates wherein the former social order has broken down, explains why the principle of *laissez-faire* has become wholly unacceptable as a basis for social recovery, and comments on the difficulties flowing from the fact that the world's democracies have acquired the ambition for an ordered society long before they have organized and disciplined themselves to establish such a society.

Under the editorship of Cullen B. Gosnell and Raymond B. Nixon, upwards of twenty addresses and discussions at the sixth annual Institute of Citizenship held at Emory University, Georgia, in February of the present year have been published by the University under the title of *Public Opinion and the Press* (pp. 177). Chapters that will be found of some interest by students of government deal with non-voting (Professor H. F. Gosnell, of the University of Chicago, discusses this), leadership in public affairs, and the effect of economic conditions upon party alignment in the South.

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DOCTORAL DISSERTATIONS IN POLITICAL SCIENCE

IN PREPARATION AT AMERICAN UNIVERSITIES[1]

COMPILED BY GRAYSON L. KIRK
University of Wisconsin

POLITICAL PHILOSOPHY AND PSYCHOLOGY

Arnold A. Allan; A.B., Iowa, 1930; A.M., *ibid.*, 1931. The Party Principles of the Hoover Administration. *Iowa.*

David M. Amacker; A.B., Princeton, 1917; A.M., Oxon, 1927. The Impairment of the Theory of External Sovereignty. *Columbia.*

Norman Wood Beck; A.B., Chicago, 1923. A Group of Political Scientists as Inventors. *Chicago.*

Maynard W. Brown; B.S., Wisconsin, 1923; M.S., *ibid.*, 1924. American Public Opinion and European Armaments, 1912–1914. *Wisconsin.*

Douglas W. Campbell; A.B., Oberlin, 1928; A.M., *ibid.*, 1928. The Political Theory of Pragmatism. *Princeton*

Hyman E. Cohen; Ph.B., Chicago, 1928. History of the Theory of Sovereignty Since 1900. *Chicago.*

Thomas I. Cook; B.Sc., London School of Economics, 1928. Political Obligation in Recent American Thought. *Columbia.*

Nathaniel Copeland; A.B., College of the City of New York, 1921. Psychology in the Civil Service. *Columbia.*

David Fellman; A.B., Nebraska, 1929; A.M., *ibid.*, 1930. The Economic Interpretation in American Political Theory. *Yale.*

Grace Givin; A.B., Kansas, 1914; S.D., *ibid.*, 1916. Louis DeKoven Bowen as a Political Leader. *Chicago.*

L. David Gresh; A.B., Gettysburg, 1921; A.M., Harvard, 1931. Contemporary German Political Theory. *California.*

Ray F. Harvey; A.B., Oklahoma, 1929; A.M., *ibid.*, 1930. The Political Philosophy of J. J. Burlamaqui and his Influence on American Constitutional Theory. *New York University.*

James E. Jackson; A.B., Texas, 1925; A.M., *ibid.*, 1929. Wisconsin Attitudes on American Foreign Policy. *Wisconsin.*

Henry Janzen; A.B., Bluffton, 1927; A.M., Ohio State, 1929. The External Aspect of Sovereignty. *Ohio State.*

Raymond D. Lawrence; A.B., Oregon, 1925; A.M., *ibid.*, 1927. Pluralistic Sovereignty. *California.*

Russell McInness; Ph.D., Brown, 1922; LL.B., New York Law School, 1925; A..M, Columbia, 1929. Administrative Control of Airplane Manufacture. *Columbia.*

Joseph D. McGill; A.B., Oberlin, 1920; A.M., *ibid.*, 1932. Religious Liberty and Equality in American Constitutional Law. *Cornell.*

Peter Vincent Masterson; A.B., Woodstock College, 1915; A.M., Johns Hopkins. 1924. The Political Writings of Suarez. *Johns Hopkins.*

Floyd I. Mulkey; A.B., Baker, 1925. Political Theory of Fascism. *Chicago.*

[1] Similar lists have been printed in the REVIEW as follows: V, 456 (1911); VI, 464 (1912); VII, 689 (1913); VIII, 488 (1914); XIV, 155 (1920); XVI, 497 (1922); XIX, 171 (1925); XX, 660 (1926); XXI, 645 (1927); XXII, 736 (1928); XXIII, 795 (1929): XXIV, 799 (1930); XXV, 798 (1931); XXVI, 769 (1932).

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Ralph O. Nafziger; A.B., Wisconsin, 1921; A.M., *ibid.*, 1930. The Newspapers and Public Opinion in the United States Concerning the War in Europe, 1914–1917. *Wisconsin.*

Frances Newborg; A.B., Wellesley, 1927. Political Ideas in American Fiction. *Chicago.*

Paul A. Palmer; A.B., Bowdoin, 1927; A.M., Harvard, 1928. Concepts of Public Opinion in the History of Political Thought. *Harvard.*

Michael A. Perry; B.S., Pennsylvania, 1915; A.M., *ibid.*, 1920. Relation of the Motion Picture Industry to Public Opinion. *Pennsylvania.*

W. Lawson Reno; B.S., Princeton, 1930; A.M., *ibid.*, 1931. The Renaissance of the Authoritarian Principle. *California.*

Helen M. Rocca; A.B., California, 1919; A.M., *ibid.*, 1921. The Political Ideas of Benjamin Disraeli. *Columbia.*

Elmer E. Schattschneider; A.B., Wisconsin, 1915; A.M., Pittsburgh, 1927. The Economic Basis of the Changing Democratic Attitude toward the Tariff. *Columbia.*

Jasper Berry Shannon; A.B., Transylvania, 1925; A.M., Wisconsin, 1928. The Political Leadership of Henry Clay. *Wisconsin.*

James H. Sheldon; A.B., Marietta, 1927; A.M., Harvard, 1928. Factors Involved in Determining Public Attitudes toward International Policies. *Harvard.*

Roger V. Shumate; A.B., California, 1928; A.M., *ibid.*, 1929. The Reaction Against Representative Government in the United States. *Minnesota.*

Charles W. Smith, Jr.; A.B., Park College, 1925; A.M., Michigan, 1928. Roger B. Taney; A Study in Political Theory and Public Law. *Wisconsin.*

August O. Spain; A.B., Texas, 1929; A.M., *ibid.*, 1931. The Political Theory of John C. Calhoun. *Yale.*

S. C. Tsui; A.B., Nankai University, 1930; A.M., Harvard, 1931. Communism and Nationalism in the Chinese Revolution. *Harvard.*

R. E. L. W. deVisme; A.B., Rutgers, 1931. The Political Implications of a Planned Economy. *Harvard.*

Tsao Chih Wu; A.B., Kwang-Hua University, 1929. Political Theories of Bertrand Russell and Norman Angell. *Johns Hopkins.*

Chitoshi Yanaga; A.B., Hawaii, 1928; A.M., *ibid.*, 1930. Political Thought in Japan. *California.*

UNITED STATES GOVERNMENT AND POLITICS AND CONSTITUTIONAL LAW

Ethan P. Allen; A.B., Colorado, 1929; A.M., Iowa, 1930. Invalidation of Municipal Ordinances by the Supreme Court of Iowa. *Iowa.*

O. R. Altman; A.B., Illinois, 1927; A.M., *ibid.*, 1928. The Management of the Republican Party, 1919–1933. *Harvard.*

H. C. Atkiss; A.B., Antioch, 1927; A.M., Cincinnati, 1928. Government and Water Power. *Yale.*

R. R. Barlow; A.M., Illinois, 1929. The Problem of Information in the National Government. *Illinois.*

Russell William Barthell; A.B., Washington, 1930; A.M. *ibid.*, 1931. Attitudes of Business toward Government. *Chicago.*

Hillman M. Bishop; A.B., Columbia, 1926. Constitutional Difficulties in the Way of Planned Economy. *Columbia.*

Eleanor Bontecou; A.B., Bryn Mawr, 1913; J.D., New York University, 1917. The Rule-Making Power and Federal Legislation. *Radcliffe.*

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Philip I. Booth; A.B., Arizona, 1930. Criminal Syndicalism Legislation in the United States. *Chicago.*

B. Brand; A.B., Mt. Holyoke, 1928; A.M., Bryn Mawr, 1929. Commissions of Inquiry. *Radcliffe.*

Paul Herman Buck; A.B., Ohio State, 1921; A.M., *ibid.*, 1922. Party Divisions in the Van Buren and Tyler Administrations. *Harvard.*

Willard B. Cowles; A.B., Columbia, 1928. The Treaty-making Power of the United States as an Instrumentality in the Development of Private Law. *Columbia.*

Lawrence Cramer; A.B., Wisconsin, 1923; A.M., Columbia, 1926. Advisory Committees in Relation to Federal Administration. *Columbia.*

Charles Edwin Davis; A.B., Texas, 1928; A.M., *ibid.*, 1929. Early Theories of the Powers and Duties of the President of the United States. *Yale.*

J. H. DeNike; A.B., Harvard, 1928; A.M., *ibid.*, 1932. "Law and Fact" as Determinant of Administrative Decisions. *Harvard.*

E. Foster Dowell; A.B., Johns Hopkins, 1929. Anti-Syndicalist Laws. *Johns Hopkins.*

Donald M. DuShane; A.B., Wabash, 1927; A.M., Columbia, 1930. American Naval Policy. *Columbia.*

Brooks Emeny; A.B., Princeton, 1924. The Geographical Basis of American Foreign Policy. *Yale.*

Harold R. Enslow; A.B., Kansas, 1926; A.M., Illinois, 1927. Shall State Income Taxes be Credited Against the Federal Income Tax? *Pennsylvania.*

Benjamin S. Faber; A.B., New York University, 1930; A.M., *ibid.*, 1931. The Relationship between Tax Administration and Legislation. *New York University.*

Hugh Grant; A.B., Harvard, 1912; A.M., *ibid.*, 1916. The Settlement of Claims Against the U. S. Government. *George Washington.*

Charles E. Haines; A.B., Colorado; A.M., Columbia, 1927. The Supreme Court and the Anti-Trust Acts. *Harvard.*

Wallace W. Hall; A.B. and B.S., Ohio, 1931; A.M., College of the Pacific, 1932. The Congressional Career of the late Theodore A. Burton of Ohio. *California.*

William L. Harper; A.B., Wheaton College, 1924; A.M., New Mexico, 1927. The Constitutional Doctrines of Mr. Justice Brewer. *Columbia.*

Robert Jennings Harris, Jr.; A.B., Vanderbilt, 1930; A.M., Illinois, 1931. Judicial Power of the United States. *Princeton.*

Dayton E. Heckman; A.B., Ohio State, 1931; A.M., *ibid.*, 1931. The Social and Economic Composition of Political Parties. *Ohio State.*

Willard H. Humbert; A.B., Bridgewater College, 1924; A.M., Virginia, 1927. The President's Pardoning Power. *Johns Hopkins.*

Alvin W. Johnson; A.B., Berrien Springs College, 1920; A.M., Michigan, 1923. Phases of the Present Status of Church and State in America. *Minnesota.*

Howard P. Jones; B.Litt., Columbia, 1921. Contempt of Court and the Freedom of the Press. *Columbia.*

Valdimer Orlando Key, Jr.; A.B., Texas, 1929; A.M., *ibid.*, 1930. Technique and Theory of Graft in the United States. *Chicago.*

Joseph Kise; A.B., St. Olaf, 1916; A.M., Harvard, 1928. The Constitutional Doctrines of Harlan F. Stone. *Harvard.*

John Day Larkin; A.B., Berea, 1923; A.M., Chicago, 1925. The Administration of the Flexible Tariff. *Harvard.*

Joseph T. Law; A.B., Drury, 1915; A.M., Wisconsin, 1921. Constitutional Limitations on the Delegation of Legislative Power. *Wisconsin.*

Eugene B. Leedy; A.M., Columbia, 1932. Reconstruction Finance Corporation. *Columbia.*

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Nelson B. Lisansky; A.B., Johns Hopkins, 1927. The Fourth Amendment. *Johns Hopkins.*

Vera McLaren; A.B., Southern California, 1924; A.M., Northwestern, 1929. The Doctrine of Public Interest. *Northwestern.*

Kenneth J. Martin; Ph.B., Denison University, 1927; A.M., Ohio State, 1929. Waiver of Jury Trial. *Chicago.*

Evelyn Armisted Maurer; A.B., Northwestern, 1927; A.M., *ibid.*, 1928. Governmental Regulation of the Interstate Distribution of Public Utility Products. *Northwestern.*

Mary F. McGuiness; A.B., Vassar, 1910; A.M., Columbia, 1932. Legislative Record of Senator George Norris. *Columbia.*

John F. Miller; A.B., Illinois, 1929; A.M., 1930. Municipal Relations of the Federal Government. *Columbia.*

Lyman Sweet Moore; A.B., Wisconsin, 1931; A.M., *ibid.*, 1933. Development of Executive Power in the United States. *Northwestern.*

Hardison Pender; A.B., North Texas State Teachers' College, 1921; A.M., Baylor, 1926. A Study of the Government of the Republic of Texas. *George Washington.*

James Pender; A.B., North Texas State Teachers' College, 1921; A.M., Baylor, 1926. A Study of the Government of the Confederate States. *George Washington.*

Valdemer F. Peterson; A.B., Wayne State Teachers College, 1927; A.M., Nebraska, 1931. The Public Career of George W. Norris. *Nebraska.*

A. L. Powell; A.B., Illinois, 1929; A.M., *ibid.*, 1930. Taxation of Governmental Instrumentalities. *Illinois.*

Arthur W. Roehm; A.B., Baldwin-Wallace, 1929. Secretary Hoover as a Departmental Administrator. *Harvard.*

Lawrence M. Rogin; A.B., Columbia, 1929; A.M., *ibid.*, 1931. Labor and Politics in Pennsylvania. *Columbia.*

M. Louise Rutherford; LL.B., Temple, 1921; A.B., Pennsylvania, 1926; A.M., *ibid.*, 1930. The Influence of the Bar Upon Legislation. *Pennsylvania.*

Leon Sachs; Stare Decisis and the U. S. Supreme Court. *Johns Hopkins.*

J. E. Sebree; A.B., Oberlin, 1902; LL.B., Georgetown University Law School, 1925; LL.M., *ibid.*, 1926; D. C. L., National University, 1927. Power of Federal Government and States to Tax Agencies and Instrumentalities of Each Other. *Johns Hopkins.*

Liba Harold Studley; B.S., College of the City of New York, 1921; LL.B., Fordham, 1925; A.M., Columbia, 1929. Progress of Aviation Legislation in the United States. *Columbia.*

C. H. Tolbert; A.B., Texas, 1921; A.M., *ibid.*, 1931. Presidential Investigating Commissions. *Yale.*

Stanley Trefil; B.S., Northwestern, 1929. State Policy Power in Interstate Commerce. *Northwestern.*

Bruce Raymond Trimble; A.B., Berea, 1925. The Life and Constitutional Doctrines of Chief Justice Waite. *Cornell.*

STATE AND LOCAL GOVERNMENT IN THE UNITED STATES

Henry M. Alexander; A.B., Davidson College, 1926; A.M., Princeton, 1927. The City Manager Plan in Kansas City. *Missouri.*

Frederic C. Ault; A.B., Ohio State, 1928; A.M., *ibid.*, 1930. Labor Legislation and Administration in Missouri. *Washington* (St. Louis).

Ervin W. Bard; Ph.B., Yale, 1925; A.M., Columbia, 1929. Port Authority of New York State. *Columbia.*

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Robert K. Blinn; A.B., Stanford, 1930; A.M., Harvard, 1932. Administrative Consolidation in Illinois, Ohio, New York, and California. *Princeton.*

Helen Breese; A.B., Bucknell, 1927; A.M., *ibid.*, 1928. Public Service Commissions; the Attachment of Jurisdiction. *Syracuse.*

Oscar Buckvar; B.S.S., College of the City of New York, 1923; A.M., Columbia, 1925. Pressure Groups before the New York Board of Estimate and Apportionment. *Columbia.*

J. A. Burdine; A.B., Texas, 1926; A.M., *ibid.*, 1929. Regulation of Industry in Massachusetts, Pennsylvania, and Tennessee before 1875. *Harvard.*

R. L. Carleton; A.B., Louisiana, 1929; A.M., *ibid.*, 1930. Local Government and Administration in Louisiana. *Illinois.*

R. K. Carr; A.B., Dartmouth, 1928; A.M., *ibid.*, 1930. State Control of Local Finance in Oklahoma. *Harvard.*

Edward W. Carter; B.S., Pennsylvania, 1926. Mandatory Expenditures of Local Governments in Pennsylvania. *Pennsylvania.*

Gregg L. Chandler; A.B., California, 1932. Evolution of State Highway Administration. *Columbia.*

Milton Chernin; A.B., California (Los Angeles), 1929; A.M., California, 1930. A Critical Analysis of the Penal Administration of the State of California. *California.*

Carlton F. Chute; A.B., California (Los Angeles), 1929. Public Purchasing in the Chicago Region. *Chicago.*

James K. Coleman; B.S., Citadel, 1919; A.M., George Washington, 1927. State Administration in South Carolina. *Columbia.*

Robert H. Connery; A.B., Minnesota, 1929; A.M., *ibid.*, 1930. Problems of Political Science Involved in the Regulation of Wild Game and Fish. *Columbia.*

Earl Howard DeLong; B.S., Northwestern, 1929; A.M., *ibid.*, 1930. State-wide Coördination of Police Authorities in the United States. *Northwestern.*

Edward F. Dow; B.S., Bowdoin, 1925; A.M., Harvard, 1926. Public Utility Regulation in Maine. *Harvard.*

Wilson K. Doyle; A.B., North Carolina, 1924. Government by Commission. *Johns Hopkins.*

William H. Edwards; A.B., Ohio State, 1923; A.M., *ibid.*, 1923. The Position of the Governor in Recent Administrative Reorganization in the States. *Ohio State.*

John North Edy; S.B., Missouri, 1925; A.M., California, 1926. Manual of Municipal Management. *Stanford.*

Clarence H. Elliott; A.B., Albion, 1925; A.M. in Municipal Administration, Michigan, 1928. The Recall in Michigan. *Michigan.*

Lavinia Engle; A.B., Antioch College, 1912. County Government in Maryland. *Johns Hopkins.*

James W. Errant; S.B., Illinois, 1923. Public Employee Organizations in Chicago. *Chicago.*

Russell Ewing; A.B., Minnesota, 1923; A.M., Columbia, 1924. The Problem of Personnel under City Management. *Columbia.*

E. I. Feldman; The Bank Commissioner of Maryland. *Johns Hopkins.*

Sonya Forthal; A.B., Wisconsin, 1922; A.M., *ibid.*, 1923. An Analysis of the Functions of Precinct Committeemen. *Chicago.*

Earl W. Garrett; S.B., Harvard, 1924. Discipline in the Chicago Police Department. *Chicago.*

Victor Hunt Harding; LL.B., Syracuse, 1907; A.B., Stanford, 1925. Direct Legislation in California. *Stanford.*

Freeman H. Hart; A.B., Washington and Lee, 1912; A.M., *ibid.*, 1917; A.M.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Harvard, 1922. Federalism in Virginia, 1783–88, with Special Reference to the Valley. *Harvard.*

Theodore A. Hill; A.B., California (Los Angeles), 1930; A.M., Stanford, 1931. State Administrative Control of Local Governments in California. *Stanford.*

James B. Holtzclaw; A.B., Kentucky, 1928; A.M., *ibid.*, 1931. A Critical Analysis of the Present Status of and Significant Trends in State Merit Systems. *Kentucky.*

Randolph O. Huus; A.B., St. Olaf, 1915; A.M., Columbia, 1920. The Administration of Municipal Playgrounds. *Columbia.*

Rex M. Johnson; A.B., Muskingum, 1924; A.M., Ohio State, 1926. Personnel Administration in the State Service of Ohio. *Ohio State.*

Violet V. Johnson; A.B., Hamline, 1928; A.M., Minnesota, 1929. Occupational Opportunities for College and Professional School Graduates in the Public Service. *Minnesota.*

Orville M. Knutsen; A.B., California, 1931. The California State Budget System. *California.*

David M. Kurtzman; B.S., Temple, 1930; A.M., Pennsylvania, 1931. The Methods of Controlling Votes Used by the Philadelphia Republican Committeeman. *Pennsylvania.*

Angus Mackenzie Laird; A.B., Florida, 1927; A.M., *ibid.*, 1928. The Party System in Florida. *Chicago.*

Shirley R. Marsh; LL.B., Washington, 1928; A.B., *ibid.*, 1931. County Government in the State of Washington. *Washington* (Seattle).

Charles E. Martz; A.B., Yale, 1915; A.M., *ibid.*, 1917. Ohio Politics from 1876 to 1900. *Harvard.*

George H. McCaffrey; LL.B., Harvard, 1912; A.M., *ibid.*, 1913. The Government of Metropolitan Boston. *Harvard.*

L. V. Michelmore; A.B., California, 1930; A.M., Harvard, 1932. The Metropolitan Problem in Massachusetts. *Harvard.*

David G. Monroe; LL.B., Baldwin-Wallace, 1927. Police Organization in the Metropolitan Region of Chicago. *Chicago.*

Roy Hamilton Owsley; A.B., Western Ky. Teachers College, 1929. Municipal Aesthetics and the Police Power. *Kentucky.*

Jewell C. Phillips; A.B., Oklahoma, 1921; A.M., *ibid.*, 1929. Operation of the City Manager Plan in Oklahoma. *Pennsylvania.*

Glenn W. Rainey; A.B., Emory, 1928; A.M., *ibid.*, 1929. The Development and Reorganization of State Administration in Georgia. *Northwestern.*

Victoria Schuck; A.B., Stanford, 1930; A.M., *ibid.*, 1931. Government in California: Its Development and Present Aspects. *Stanford.*

P. K. Sikes; A.B., Mississippi A. and M., 1924; A.M., Texas, 1928. Judicial Administration in Mississippi. *Illinois.*

Clyde F. Snider; A.B., Kansas; A.M., *ibid.*, County Government in Indiana. *Indiana.*

Robert C. Smith; A.B., Washington and Lee, 1926. The Fiscal System of Virginia. *Chicago.*

Herbert Stone; A.B., DePauw, 1925. Town Government in New York State. *Columbia.*

Karl E. Stromsem; A.B., Pomona, 1930. Special Districts and their Relation to Cities in the United States. *California.*

John J. Theobald; A.B., Columbia, 1925; B.S., 1928. Next Steps in the Development of Highway Administration in New York State. *Columbia.*

Hugh J. Tudor; A.B., Simpson, 1926; A.M., Iowa, 1932. Administration of the Local Budget Law in Iowa. *Iowa.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Raymond Uhl; A.B., Virginia, 1930; A.M., *ibid.*, 1931. State Constitutional Development since the World War. *Johns Hopkins.*

Morton D. Weiss; A.B., College of the City of New York, 1930; A.M., Columbia, 1931. Municipal Debt Limits. *Columbia.*

Bradford W. West; A.B., Amherst, 1923; A.M., California, 1925. Major Financial Problems in the Public Care of the Insane; A Study in Public Finance. *Pennsylvania.*

Max White; Ph.B., Chicago, 1926; A.M., *ibid.*, 1929. Governmental Organization of the Water Supply Service in the Metropolitan Region of Chicago. *Chicago.*

Francis O. Wilcox; A.B., Iowa, 1930; A.M., *ibid.*, 1931. Financial Administration of a Typical Iowa County. *Iowa.*

Glen G. Wiltsey; A.B., Wesleyan, 1930; A.M., Nebraska, 1931. The Administration of Nebraska Banking Law. *Nebraska.*

Robert Martin Young; A.B., Washington, 1930; A.M., *ibid.*, 1932. The Office of Governor in Mississippi. *Washington* (St. Louis).

Belle Zeller; A.B., Hunter, 1924; A.M., Columbia, 1926. Pressure Groups and the New York State Legislature. *Columbia.*

Martha Jean Ziegler; A.B., Illinois, 1928; A.M. *ibid.*, 1929. State Investigating Commissions in Illinois since 1900; Their Procedure and Legislative Influence. *Northwestern.*

FOREIGN AND COMPARATIVE GOVERNMENT

Margaret Ball; A.B., Stanford, 1931; A.M., *ibid.*, 1931. The Anschluss Movement. *Stanford.*

Charlotte M. Benjamin; A.B., Wellesley, 1927; A.M., Radcliffe, 1929. Legislative Drafting in the German Ministry of Justice. *Radcliffe.*

Catherine Evangeline Boyd; A.B., Radcliffe, 1926; A.M., *ibid.*, 1929. The Development of the *Ordonnance Royale* in France to the End of the 16th Century. *Radcliffe.*

Don Burdick; A.B., Washington, 1921. The Financial and Economic Reconstruction of China. *Washington* (Seattle).

Y. Y. Chang; A.B., Yenching, 1924; A.M., Michigan, 1930. The Chinese Civil Service. *Columbia.*

Daniel S. K. Chang; A.B., St. John's, 1917; A.M., Columbia, 1921. Parliament and British Policy toward China. *Columbia.*

Chih Mai Chen; A.B., Ohio State, 1929. Parliamentary Opinion of Delegated Legislation. *Columbia.*

E. DeHass; A.B., Hunter, 1923; A.M., Columbia, 1925. The Bail System in England. *Columbia.*

Majorie Ruth Dilley; Recent Developments in British Colonial Administration. *Washington* (Seattle).

William R. Dittmar; Referendar, Göttingen, 1907. The Constitution of Bavaria. *Columbia.*

G. Lowell Field; A.B., Wesleyan, 1932. Conduct of Public Enterprises in Fascist Italy. *Columbia.*

Virginia Elizabeth Fox; A.B., Stanford, 1927; A.M., *ibid.*, 1928. The Origins of the Third International. *Stanford.*

Abraham Gertner; A.B., Ohio, 1929; A.M., Yale, 1930. The Relation of Enactment to Existing Custom in England before Edward III. *Yale.*

Lee S. Greene; A.B., Kansas, 1930; A.M., Wisconsin, 1932. Direct Legislation in Germany, Austria, and Danzig. *Wisconsin.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Yochun Ho; A.B., Stanford, 1930. The Experiment of Democratic Government in China. *Columbia.*

Nicholas Kaltchas; A.B., Robert College (Constantinople), 1914. The Greek Constitution of 1927. *Columbia.*

Andrew Kobal; Ph.B., Chicago, 1930. Government and Politics in Yugoslavia. *Columbia.*

T. Y. Ku; A.B., Stanford, 1931; A.M., *ibid.*, 1932. Chinese Municipal Police. *Columbia.*

Albert P. Ludwig; A.B., Oberlin, 1916; A.M., California, 1932. China's Foreign Policy under Li Hung Chang. *California.*

Robert W. McCulloch; A.B., Albion, 1931; A.M., Michigan, 1932. Questions and Interpellations in the National Legislatures of Great Britain, France, and Germany. *Michigan.*

Bunji Omura; A.B., College of the Pacific, 1929; A.M., Columbia, 1930. Local Government in Japan. *Columbia.*

Generoso P. Provido; A.B., California, 1930; A.M., *ibid.*, 1931. External Relations of the Philippines, Actual and Prospective. *California.*

Felix Vanderocek; A.B., Iowa, 1923; A.M., *ibid.*, 1924. The Foreign Policy of Czechoslovakia. *Columbia.*

Chi Kao Wang; A.B., Ohio State, 1930; M.S., Chicago, 1931. The Dissolutions of Parliament, 1832–1931. *Columbia.*

William C. White; A.B., Princeton, 1923; A.M., Pennsylvania, 1925. The Government of Soviet Russia. *Pennsylvania.*

H. C. Wu; Ph.B., Wisconsin, 1926; A.M., Columbia, 1927. Whips in the British House of Commons. *Columbia.*

INTERNATIONAL ORGANIZATION AND POLITICS AND INTERNATIONAL LAW

Pedro F. Abelarde; A.B., California, 1925; A.M., *ibid.*, 1930. U. S. Tariff Relations with the Philippines. *Columbia.*

Totton James Anderson; A.B., California, 1930; A.M., *ibid.*, 1931. The Law of Recognition and the New Conception of Neutrality. *California.*

Ben Azikwe; A.B., Lincoln University, 1930. Diplomatic History of Liberia, 1847–1931. *Columbia.*

William B. Ballis; A.B., Stanford, 1929. The Distinction between Just and Unjust War. *Chicago.*

Eric Lloyd Barr; U. S. Naval Academy, 1911. The Naval Officer in International Law and Diplomacy. *Washington* (Seattle).

James L. Berry; A.B., Mississippi, 1929; A.M., *ibid.*, 1930. The International Enforcement of Maintenance Orders. *Yale.*

E. K. Biggerstaff; A.B., California, 1927; A.M., Harvard, 1929. Changes in the Chinese Attitude toward Diplomatic Intercourse during the Third Quarter of the Nineteenth Century. *Harvard.*

Marion Boggs; A.B., Missouri, 1931; A.M., *ibid.*, 1932. The Distinction between Aggressive and Defensive Armaments. *Chicago.*

George Herbert Bowers; A.B., Nebraska, 1926; A.M., *ibid.*, 1928. Transfers of African Territory. *Chicago.*

Dennis William Brogan; A.M., Glasgow, 1922. International Aspect of Irish Nationalism. *Harvard.*

Stewart Frederick Bryant; U. S. Naval Academy, 1913. International Aspects of Naval Disarmament. *Stanford.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Hugh Chan; A.B., College of the Ozarks, 1928; A.M., Alabama, 1930. The American Agitation for a League of Nations, 1914–1920. *Iowa.*

Lois A. Childs; A.B., Wellesley, 1922; A.M., Columbia, 1925. The Cape to Cairo Railway. *Columbia.*

Asher Norman Christensen; A.B., Minnesota, 1924. The Control of Foreign Relations in Spain. *Chicago.*

Grover Clark; A.B., Oberlin, 1914; A.M., Chicago, 1918. The League and the Far East. *Columbia.*

Benjamin Cohen; B.S., College of the City of New York, 1931. Prize Practice and Procedure. *Columbia.*

Russell M. Cooper; A.B., Cornell, 1928; A.M., Columbia, 1929. Recent Applications of the Kellogg Pact. *Columbia.*

Bao Dai; A.B., University of Shanghai, 1929. China and the International Consortium. *Johns Hopkins.*

Kermit Eby; A.B., Manchester, 1927. American Interventions in China. *Chicago.*

Walter W. Engelke; A.B., Wisconsin, 1929; A.M., 1930. Participation of the United States in International Conferences, 1921–1931. *Wisconsin.*

John W. Follows; A.B., Wisconsin, 1930; B.Litt., Oxford, 1932. Antecedents of International Labor Organization. *Cornell.*

Clayton D. Ford; A.B., Minnesota, 1929; A.M., *ibid.*, 1930. The Open Door Doctrine in Sino-British Relations. *Minnesota.*

James Anderson Gathings; A.B., Furman, 1925. American Policy with Respect to the Property of Alien Enemies. *Chicago.*

Meredith Gilpatrick; Ph.B., Chicago, 1925; LL.B. Southern California, 1928. The American Attitude toward Mexico, 1830–1930. *Chicago.*

Welles A. Gray; A.B., Minnesota, 1923; A.M., *ibid.*, 1924. The International Sanction. *Harvard.*

Solly A. Hartzo; A.B., Washington and Lee, 1921; A.M., Columbia, 1924. The Parties to Treaties. *Chicago.*

W. B. Harvey; Interrelations between European Political and Commercial Diplomacy, 1870–1914. *Chicago.*

Willis Hazleton; A.B., Macalester College, 1921. The Balkan Union. *George Washington.*

Sylvester Hemleben; A.B., Iowa, 1927; A.M., *ibid.*, 1928. The British Dominions in the League of Nations. *Columbia.*

Dorothy Houston; B.S. and A.M., Minnesota, 1928. Intervention in the Theory and Practice of Japan and the United States. *Minnesota.*

Joseph M. Jones; A.B., Baylor, 1928; A.M., Pennsylvania, 1929. European Tariff Retaliation. *Pennsylvania.*

Carl C. Kluever; A.M., Illinois, 1933. Recent Developments of the Monroe Doctrine. *Illinois.*

Donald Edward Van Koughnet; A.B., Minnesota, 1928; A.M., *ibid.*, 1929. The Council of the League of Nations, with Special Reference to Procedure. *Harvard.*

A. F. Kovacs; The Balance of Power and European Armament Policies. *Chicago.*

Robert P. Lane; The Naval Building Policy of the United States. *Chicago.*

Perry Laukhaff; A.B., Otterbein, 1927; A.M., Harvard, 1928. The Central American Court of Justice, 1907–1918. *Harvard.*

Don B. Leiffer; A.B., California, 1930; A.M., Harvard, 1932. Article 36 of the Statute of the Permanent Court of International Justice. *Harvard.*

James J. Lenoir; A.B., Mississippi, 1927; A.M., *ibid.*, 1929. Interpretation of International Law by the Supreme Court of the United States. *Illinois.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

J. A. Levandis; S.B., Delaware, 1921; A.M., Columbia, 1922. International Financial Control of Greece. *Columbia.*

Robert M. Loomis; A.B., Greenville College, 1927. The Achievement of Political Autonomy Within a Legal Order. *Wisconsin.*

Wen-Hwan-Ma; A.M., Columbia, 1929. Congressional Opinion of China. *Columbia.*

Wilbur Lee Mahaney; A.B., Richmond, 1924; A.M., Virginia, 1927. Relations of the League of Nations and Soviet Russia. *Pennsylvania.*

Mary Mangigian; B.S., Pennsylvania, 1927; A.M., *ibid.*, 1929. The Status of Armenia in International Law. *Pennsylvania.*

Dzung-I Miu; A.B., Shanghai College, 1930. The Opium Problem Since 1925. *Johns Hopkins.*

Helen Margaret Moats; A.B., Mount Holyoke, 1928. The Personnel of the Organs of the League of Nations. *Chicago.*

Ernest K. Moriwake; A.B., Harvard, 1926; A.M., *ibid.*, 1927. Relation of Peace Treaties to Preëxisting Treaties. *Harvard.*

Shigeaki Ninomiya; A.B., Washington, 1929; A.M., *ibid.*, 1931. The League of Nations in the Sino-Japanese Conflict. *Washington* (Seattle).

G. Noble; A.B., Oxford, 1915; A.M., *ibid.*, 1923. President Wilson, the Versailles Peace, and French Opinion. *Columbia.*

Ralph A. Norem; A.B., Minnesota, 1921; A.M., *ibid.*, 1928. The Shantung Question. *Minnesota.*

Richard M. Perdew; A.B., Swarthmore, 1926; Institute Universitaire de Hautes Etudes, Int. Diplome, 1929. Certain Effects of Changes in National Commercial Policies upon International Relations. *Chicago.*

Ellsworth Harvey Plank; B.S., Oregon, 1930; M.S., 1931. Economic Sanctions. *Stanford.*

Liane V. Poirier; A.B., Hunter, 1926; A.M., Columbia, 1931. The Mandates Commission. *Columbia.*

Henry Reiff; A.B., Harvard, 1925; A.M., Michigan, 1926; A.M., Harvard, 1928. Enforcement of Certain Multilateral Treaties in the United States. *Harvard.*

Walter H. Ritsher; A.B., Beloit, 1921. Criteria of Capacity for Independence. *Chicago.*

Paul H. Ritterskamp; A.B., Indiana, 1926. Foreign Competition in the Domestic Market and the International Attitude of the United States. *Chicago.*

D. V. Sandifer; A.B., Eureka, 1924; A.M., Columbia, 1928. Evidence in International Arbitrations. *Columbia.*

Giovanni Schiavo; A.B., Johns Hopkins, 1919. Italian Concepts of International Arbitrations. *Columbia.*

Sanford Schwarz; A.B., College of the City of New York, 1924; A.M., Columbia, 1925. International Law Relating to Jurisdiction Over Crimes. *Columbia.*

Robert B. Schwengler; A.B., Wisconsin, 1928. The Development of American-Hawaiian Relations. *Chicago.*

Ralph T. Seward; A.B., New York University, 1930. The Use of Experts in the Economic Work of the League of Nations. *Columbia.*

John F. Shreiner; A.B., Oberlin, 1917; A.M., Williams, 1922. International Regulation of Finance. *Wisconsin.*

Haig Silvanic; A.B., Clark, 1920; A.M., Columbia, 1921. De Facto Governments. *Columbia.*

Janice C. Simpson; A.B., Agnes Scott, 1930; A.M. Chicago, 1932. The Position of Measures of Economic Coercion under International Law. *Chicago.*

Smith Simpson; B.S., Virginia, 1927; M.S., *ibid.*, 1928; LL.B., Cornell, 1931. History of the Peace Movement in the United States. *Columbia.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Jennie Sloan; Anglo-American Relations in Connection with the Venezuela Boundary Arbitration. *Chicago.*

Ralph H. Smith; A.B., Union College, 1929. The Most Favored Nation Clause. *Johns Hopkins.*

Waldo E. Stephens; A.B., Ohio Wesleyan, 1920. Revision of the Treaty of Versailles. *Columbia.*

Thomas Leland Stock; A.B., Stanford, 1927. Membership in the League of Nations. *Stanford.*

Benjamin O. Stoner; A.B., Manchester, 1928. Immunity of Government Agencies in National Courts. *Chicago.*

John E. Stoner; A.B., Manchester, 1926. The Origins of the Kellogg-Briand Peace Pact. *Chicago.*

David F. Strong; B.S., Dartmouth, 1924; A.M., Stanford, 1925; A.M., Harvard, 1932. The History of Austria Since the War. *Columbia.*

Chi-sheo Swen; A.B., Nanking University, 1924; A.M., Washington (St. Louis), 1931. International Economic Relations of Manchuria. *Columbia.*

Timothy A. Taracous-Taracouzio; A.M., Southern California, 1927; *ibid.*, Harvard, 1928. International Law in the Light of Communistic Theory in Practice of the U.S.S.R. *Harvard.*

William L. Tayler; A.B., Texas, 1927; A.M., American 1928; A.M., Columbia, 1929. International Labor Conventions, with Special Reference to Federal States. *Columbia.*

Paul Bennett Taylor; The Most Favored Nation Clause in Europe since the World War. *Columbia.*

Clifton Utley; Ph.B., Chicago, 1926. Strategic Background of Modern War. *Chicago.*

William Verhage; A.B., Lawrence, 1928; A.M., Oberlin, 1929. The Theory and Practice of International Coöperation, with Particular Reference to International Relations With and Concerning China after 1895. *Minnesota.*

Katharine Powell Wells; A.B., Goucher, 1926; A.M., Clark, 1930. Anglo-American Relations, 1865–1872. *Clark.*

Albert C. F. Westphal; A.B., Columbia, 1929. United States Treaty Relations with the Far East and the Nine Power Treaty. *Columbia.*

Wilbur W. White; A.B., Ohio State, 1924; A.M., Chicago, 1929. The Changing Legal Status of the Fragments of the Ottoman Empire. *Chicago.*

Horace N. Wilcox; A.B., Wyoming, 1917; A.B., Oxford, 1920. Diplomatic History of Samoa. *Columbia.*

Eleanor Wooley; A.B., Bryn Mawr, 1927. Interference by the United States in Caribbean Revolutions. *Columbia.*

Chi-yu Wu; A.B., Yenching University, 1927; A.M., *ibid.*, 1929. China and Russia in Central Asia. *Princeton.*

Pao-Yu Yin; A.B., Shanghai College, 1930. Article Ten of the Covenant. *Johns Hopkins.*

Frederick L. Zimmerman; A.B., Columbia, 1928. International Law Relating to Governments in Business. *Columbia.*

GOVERNMENT AND SOCIAL PROBLEMS

Solomon Barkin; B.S.Sc., College of the City of New York, 1928; A.M., Columbia, 1931. The Older Worker in Industry. *Columbia.*

Ruth Whitney Barrett; A.B., Radcliffe, 1923; A.M., California, 1924. The Administration of Labor Laws Protecting Women and Children in Massachusetts. *Radcliffe.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

John S. Bradway; A.B., Haverford, 1911; A.M., *ibid.*, 1915; LL.B., Pennsylvania, 1924. The Legal Aid Bureau. *Pennsylvania.*

Donald MacKenzie Brown; A.B., Pomona, 1929; A.M., Stanford, 1931. Public Policy in Mexico. *Stanford.*

Duck Soo Chang; A.B., Waseda, 1916; A.M., Columbia, 1925. The British Methods of Industrial Peace. *Columbia.*

John Alvin Decker; A.B., Grinnell, 1921; A.M., Columbia, 1931. Land and Labor Policies in Pacific Dependencies. *Columbia.*

Powrie V. Doctor; A.B., Kansas, 1928; A.M., George Washington, 1930; A.M., Gallaudet College, 1931. The Federal Government and Education of the Blind; A Study in Public Administration. *Johns Hopkins.*

W. Brooke Graves; A.B., Cornell, 1921; A.M., Pennsylvania, 1923. State Government Publicity. *Pennsylvania.*

Edward Johnston; A.B., Manhattan, 1928; A.M., Columbia, 1931. The National Catholic Welfare Council. *Columbia.*

Arthur H. Kurse; A.B., Akron, 1930; A.M., Syracuse, 1931. A Study of the Administration of Outdoor Relief in Syracuse and Onondaga County. *Syracuse.*

Harvey Lebron; A.B., Temple, 1912; A.M., Pennsylvania, 1914. Social Treatment of Old Age Dependency in the State of New York. *Stanford.*

Edward M. Martin; A.B., Oberlin, 1916. The Rôle of the Chicago Bar Association in Judicial Elections. *Chicago.*

Charles P. O'Donnell; A.B., DePaul, 1926. Catholic Participation in Politics. *Chicago.*

W. E. Waltz; A.B., Missouri State College, 1924; A.M., Missouri, 1927. The Nationality of Married Women. *Illinois.*

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Books

Anderson, B. M., Jr. The gold standard and the administration's general economic program. (Pamphlet). N. Y.: Chase Nat. Bank.

Beard, C. A., ed. A century of progress. Pp. 459. N. Y.: Harper.

Bogardus, E. S., ed. Social problems and social processes. Pp. 166. Chicago: Univ. of Chicago Press.

Brooks, R. C. Political parties and electoral problems. Rev. ed. N. Y.: Harpers.

Brown, H. L. Aircraft and the law. Pp. 366. N. Y.: R. O. Ballou.

Clark, Evans. The internal debts of the United States. Pp. 424. N. Y.: Macmillan.

Crawford, F. G. Readings in American government. Rev. ed. Pp. 781. N. Y.: F. S. Crofts.

Denman, C. P. The secession movement in Alabama. Montgomery (Ala.): State Dept. of Archives.

Donham, W. B. National ideals and international idols. (Pamphlet). N. Y.: Chemical Found.

Dunlap, H. Facts and figures about the crisis. Pp. 144. N. Y.: Stechert.

Emden C. S. The people and the constitution. Pp. 347. N. Y.: Oxford Univ. Press.

Epstein, A. Insecurity. N. Y.: Smith & Haas.

Eriksson, E. M. and *Rowe, D. N.* American constitutional history. Pp. 538. N. Y.: Norton.

Fels, Samuel S. This changing world. Pp. 302. Boston: Houghton, Mifflin.

Fisher, Irving. Inflation? N. Y.: Adelphi Co.

Fitzpatrick, J. C., ed. Journals of the continental congress. Vol. 28. Washington: Govt. Printing Office.

Flick, A. C. History of the state of New York. Vols. 1 and 2. N. Y.: Columbia Univ. Press.

Gallagher, R. M. Public personnel problems and the depression. (Pamphlet). N. Y.: Nat. Mun. League.

Greer, Sarah. A bibliography of public administration. N. Y.: Inst. of Public Administration.

Harris, S. E. Twenty years of federal reserve policy. 2 vols. Cambridge: Harvard Univ. Press.

Hawtrey, R. G. The gold standard in theory and practice. Rev. ed. Pp. 248. N. Y.: Longmans.

Heermance, E. L. Can business govern itself? Pp. 290. N. Y.: Harper.

Hodgson, J. G., comp. Stabilization of money. Pp. 238. N. Y.: H. W. Wilson.

Jones, R. L. History of the foreign policy of the United States. Pp. 545. N. Y.: Putnam.

Kellogg, R. M. The United States unemployment service. Chicago: Univ. of Chicago Press.

Kirby, J. H. The pending crisis. Boston: Christopher Pub. House.

Klein, H. H. Politics, government, and the public utilities in New York City. Pp. 195. N. Y.: Isaac Goldman Co.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Koch, G. A. Republican religion: the American revolution and the cult of reason. Pp. 350. N. Y.: Holt.

Laughlin, J. L. The federal reserve act, its origins and problems. Pp. 412. N. Y.: Macmillan.

Lippincott, Isaac. Economic development of the United States. Pp. 756. N. Y.: Appleton.

Lippmann, Walter. A new social order. (Pamphlet). N. Y.: John Day.

Magruder, F. A. and *Claire, G. S.* The constitution. N. Y.: McGraw-Hill.

Manning, W. R., ed. Diplomatic correspondence of the United States. Vols. I and 2. Washington: Carnegie Endowment.

Martin, R. C. The people's party in Texas. Austin (Texas): Univ. of Texas.

Nadler, M. and *Bogen, J. I.* The banking crisis: the end of an epoch. Pp. 211. N. Y.: Dodd, Mead.

Nash, L. R. Public utility rate structure. Pp. 379. N. Y.: McGraw-Hill.

National Industrial Conference Board. Federal finances, 1923–1932. Pp. 141. N. Y.: Nat. Indust. Conference Bd.

National Municipal League. A model state constitution. Rev. ed. N. Y.: Nat. Mun. League.

Newman, A. M. Enough for everybody. Indianapolis: Bobbs-Merrill.

Nichols, O. and *Glaser, C.* Work camps for America. (Pamphlet). N. Y.: John Day.

Ogburn, W. F., ed. Social changes in 1932. Chicago: Univ. of Chicago Press.

Pankhurst, S. The suffragette movement. N. Y.: Longmans.

Perkins, Dexter. The Monroe doctrine, 1826–1867. Pp. 592. Baltimore: Johns Hopkins Press.

President's Research Committee on Social Trends. Recent social trends in the United States. 1 vol. ed. Pp. 1568, N. Y.: McGraw-Hill.

Rice, Elmer. We, the people. Pp. 262. N. Y.: Coward-McCann.

Roos, C. F., ed. Stabilization of employment. Pp. 300. Bloomington (Ind.): Principia Press.

Roosevelt, Nicholas. The Philippines. 4th ed. N. Y.: Sears.

Schmalhausen, S. D., ed. Recovery through revolution. Pp. 504. N. Y.: Covici, Friede.

Sinclair, Upton. The way out. Pp. 131. N. Y.: Farrar & Rinehart.

Smith, E. L. Banker's gold. Pp. 154. N. Y.: Simon & Schuster.

Snavely, T. R., and *Others.* State grants-in-aid in Virginia. Pp. 259. N. Y.: Century.

Sparling, Earl. The primer of inflation. Pp. 133. N. Y.: John Day.

Thompson, W. S., and *Whelpton, P. K.* Population trends in the United States. N. Y.: McGraw-Hill.

Tugwell, R. G. The industrial discipline and the governmental arts. Pp. 241. N. Y.: Columbia Univ. Press.

Tydings, M. E. Counter-attack. Indianapolis: Bobbs-Merrill.

Viner, Jacob. Balanced deflation, inflation, or more depression. (Pamphlet). Minneapolis: Univ. of Minn. Press.

Wilson, G. L. The transportation crisis. Pp. 344. N. Y.: Sears.

Wilson, M. L. Farm relief and the domestic allotment plan. (Pamphlet). Minneapolis: Univ. of Minn. Press.

Woodward, D. B., and *Rose, M. A.* Inflation. Pp. 177. N. Y.: McGraw-Hill.

Young, J. S., and *Wright, E. Y.* Unified American government. Pp. 737. N. Y.: McGraw-Hill.

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ELECTRONIC REPRODUCTION PROHIBITED

Articles

Administration. Public administration in 1931–32. *L. D. White.* Am. Pol. Sci. Rev. June, 1933.

Administrative Organization. The Washington jig saw. *R. L. Duffus.* Harper's. June, 1933.

Anti-Trust Legislation. Proposed suspension of the anti-trust laws. *D. R. Richberg* and *Others.* Cong. Digest. June, 1933.

Aviation. The law of nuisances as applied to airports. *R. W. Childs.* Air Law Rev. Apr., 1933.

Banking. 1933 banking legislation. *Willis Sargent.* N. Y.: Bar Assoc. Bull. May, 1933.

———. Bank deposit guaranties. *C. L. Jamison.* Bankers Mag. May, 1933.

———. The failure of state banking. *J. S. Lawrence.* Rev. of Revs. May, 1933.

———. The dangers of branch banking. *J. T. Flynn.* Forum. May, 1933.

———. Relief of depositors of suspended banks. *F. E. Vogelin.* Am. Federationist. June, 1933.

———. Legislative control of commercial banking in Wisconsin. *W. L. Crow.* Marquette Law Rev. June, 1933.

Bankruptcy Legislation. Constitutionality of the recent amendment to the bankruptcy law. *A. K. Stebbins.* Marquette Law Rev. Apr., 1933.

———. Reorganization of railroad corporations under the bankruptcy act. *C. Rogers* and *L. Groom.* Columbia Law Rev. Apr., 1933.

———. Reorganization of railroads under the bankruptcy act. *L. K. Garrison.* Chicago Law Rev. May, 1933.

———. Provisions of the amended federal bankruptcy act relating to agricultural compositions. *R. G. Hunt.* Com. Law Jour. May, 1933.

Commerce Clause. State regulation of interstate motor carriers. *P. G. Kauper.* Mich. Law Rev. May, 1933.

———. State taxation of foreign corporations engaged solely in interstate or foreign commerce. *N. L. N.* Yale Law Jour. May, 1933.

———. Congress's power to prohibit commerce. *E. S. Corwin.* Cornell Law Quar. June, 1933.

Congress. Veterans' legislation and limitations upon the implied powers of congress. *R. T. Donley.* W. Va. Law Quar. Apr., 1933.

———. Second session of the seventy-second congress. *E. P. Herring.* Am. Pol. Sci. Rev. June, 1933.

———. Is congress representative? *G. H. Hallett, Jr.* Nat. Mun. Rev. June, 1933.

———. Congress—the nation's scapegoat. *F. H. La Guardia.* Scribner's. June, 1933.

Constitutional Law. Constitutional law—due process—right of counsel. *O. M. Bowman.* Ore. Law Rev. Apr., 1933.

———. Constitutional law—delegation of federal legislative power to executive or administrative agencies. *G. A. S.* Michigan Law Rev. Apr., 1933.

———. Constitutional law—sterilization of mentally defective. *A. E. Bielefeld.* Ill. Law Rev. May, 1933.

———. Corporations and diversity of citizenship. *Charles Warren.* Va. Law Rev. May, 1933.

———. Constitutional law—administrative duties of the judiciary. *J. H. H.* Ind. Law Jour. June, 1933.

———. **Chain Stores.** Constitutional law—due process—chain store taxation. *R. J. Podell.* Marquette Law Rev. June, 1933.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

———. Constitutional law—chain store taxation. *W. J. O., Jr.* Va. Law Rev. May, 1933.

———. The people may control. *Mr. Justice Brandeis.* Am. Federationist. May, 1933.

———. A study in chaining the chain stores. *W. H. Shapiro.* St. John's Law Rev. May, 1933.

Declaratory Judgment. The constitutionality of declaratory judgments. *A. R. Ellingwood.* Ill. Law Rev. May, 1933.

———. The constitutionality of the declaratory judgment. *A. A. Ribicoff.* Chicago Law Rev. May, 1933.

Education. The school crisis, and what can be done about it. *James Metzenbaum.* Forum. June, 1933.

Elections. How negroes vote in Chicago. *H. F. Gosnell.* Nat. Mun. Rev. May, 1933.

———. Election statistics in the United States. *I. G. Swisher.* Am. Pol. Sci. Rev. June, 1933.

Farm Relief. Some legal aspects of the farm mortgage foreclosure. *R. C. Rubright.* Rocky Mountain Law Rev. Apr., 1933.

———. An analysis of the farm bill. *F. E. Murphy.* Rev. of Revs. May, 1933.

———. Farm relief—and what then? *Benjamin Ginzburg.* Harper's. May, 1933.

Federal-State Relations. Constitutional law—federal instrumentality. *A. L. Powell.* Mich. Law Rev. Apr., 1933.

———. The supreme court of Indiana and federal taxation of state instrumentalities. *A. L. Powell.* Ind. Law Jour. May, 1933.

———. When is congressional legislation in violation of the tenth amendment. *T. G. Beedle.* Neb. Law Bull. May, 1933.

Federal Trade Commission. Federal trade commission—false and misleading advertising. *G. D. P.* Mich. Law Rev. Apr., 1933.

———. Unfair competition. *Note Editor.* Harvard Law Rev. May, 1933.

Freedom of Press. The press and the constitution. *K. E. Levi.* Wisconsin Mag. Hist. June, 1933

Gerrymandering. The gerrymander system in Georgia. *C. B. Gosnell.* Social Forces. May, 1933.

Gold Standard Legislation. The gold clause in private contracts. *George Nebolsine.* Yale Law Jour. May, 1933.

———. Constitutional limitations and the gold standard. *F. A. Johnson.* U. S. Law Rev. May, 1933.

———. Force and effect of clauses providing for payment of private indebtedness in gold. *R. D. G.* Mich. Law Rev. May, 1933.

———. Federal currency restrictions and gold contracts. *J. Hanna.* Am. Bar Assoc. Jour. June, 1933.

———. The power of congress to nullify gold clauses. *R. L. Post* and *C. H. Willard.* Harvard Law Rev. June, 1933.

———. Currency control and private property. *John Hanna.* Columbia Law Rev. Apr., 1933.

Government and Business. Effects of governmental regulation of commodity exchanges in the United States. *H. B. Killough.* Harvard Bus. Rev. Apr., 1933.

———. Modern monopoly as the gentleman crook. *R. W. Souter.* Pol. Sci. Quar. June, 1933.

Governmental Functions. The scientific work of the government of the United States. *P. S. Smith* and *Others.* Scientific Mo. May, 1933.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Impeachment. The impeachment of James E. Ferguson. *C. A. M. Ewing.* Pol. Sci. Quar. June, 1933.

Interstate Commerce Commission. Power of the interstate commerce commission over the extension of railroad lines. *Note Editor.* Columbia Law Rev. Apr., 1933.

———. The supreme court and administrative practices of the interstate commerce commission. *Note Editor.* Harvard Law Rev. Apr., 1933.

Judiciary. Les origines du contrôle de constitutionalité des lois d'état par la judicature fédérale aux États-Unis. *Jacques Lambert.* Rev. Droit Pub. & Sci. Pol. Jan., 1933.

———. The debates of the constitutional convention on the jurisdiction of the supreme court. *E. F. Meyer.* Rocky Mountain Law Rev. Apr., 1933.

———. Frictional points of conflict between state and federal courts. *A. M. Dobie.* Com. Law. Jour. May, 1933.

———. The power of federal courts to enjoin proceedings in state courts. *T. Taylor* and *E. I. Willis.* Yale Law Jour. June, 1933.

———. The United States customs court—I. *G. S. Brown.* Am. Bar Assoc. Jour. June, 1933.

Labor Legislation. Do we need minimum wage laws? *Frances Perkins* and *Leo Wolman.* Forum. May, 1933.

———. Constitutionality of the New York minimum wage law. Appointment of receivers for labor unions. *Comment Editor.* Yale Law Jour. June, 1933.

———. Federal regulation of hours of labor in industry. *C. A. Miller.* Tenn. Law Rev. June, 1933.

———. The yellow dog contract in its relation to public policy. *C. E. Bonnett.* Tulane Law Rev. June, 1933.

———. Trade unions and the law in Kansas. *Domenico Gagliardo.* Am. Federationist. June, 1933.

Liquor Control. The state's new beer law. *J. J. Dunnigan.* N. Y. Bar Assoc. Bull. May, 1933.

———. Lest we forget. *M. B. Hamilton.* Am. Mercury. May, 1933.

———. Science, law, and alcohol. *Yandell Henderson.* Harper's. June, 1933.

———. Unconstitutional beer legislation. *R. H. Hudson.* Lawyer & Banker. June, 1933.

Mortgage Moratorium Legislation. Constitutional and economic aspects of mortgage moratorium legislation. *H. J. Allen.* Marquette Law Rev. Apr., 1933.

———. Moratory legislation—a comparative study. *A. H. Feller.* Harvard Law Rev. May, 1933.

———. Recent legislation for the relief of mortgage debtors. *Comment Editor.* Yale Law Jour. June, 1933.

Muscle Shoals. Dawn for the Tennessee valley. *G. F. Milton.* Rev. of Revs. June, 1933.

National Planning. Towards a national plan. *Geoffrey Clark.* Sociol. Rev. Jan., 1933.

———. The function of economic planning in stabilizing employment. *D. F. Pegrum.* Social Sci. Apr., 1933.

———. Peace-time regulation as a precedent for national planning. *B. B. Kendricks, Jr.* Social Forces. May, 1933.

Patronage. The spoils. *Henry Carter.* N. Am. Rev. June, 1933.

Philippines. Philippine independence. *George Gerhard.* N. Am. Rev. May, 1933.

Political Parties. The third party tradition in American politics. *J. D. Hicks.* Miss. Valley Hist. Rev. June, 1933.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Politics. The old guard dies. *W. C. Murphy, Jr.* Am. Mercury. May, 1933.

———. The kaiser of Connecticut. *G. E. Clapp.* Am. Mercury. June, 1933.

Public Utilities. Why state commissions want to confine the utilities to state courts. *C. L. Seavey.* The maverick commission of Massachusetts. *J. T. Lambert.* The utility franchise muddle. *D. L. Babson.* Pub. Util Fort. May 11, June 8, 1933.

———. Commission regulation and home rule in Ohio. *B. W. Lewis.* Jour. Land & Pub. Util. Econ. May, 1933.

———. Are we paying too much for electricity? *John Bauer.* Nat. Mun. Rev. May, 1933.

———. Legislative regulation of the New York dairy industry. *Comment Editor.* Yale Law Jour. June, 1933.

———. Utility regulation at the bar. *W. E. Mosher.* New Repub. June 7, 1933.

———. Gas: a study in expansion. *N. R. Danielian.* Atlan. Mo. July, 1933.

——— **Holding Companies.** Desirable legal changes in holding company legislation. *E. R. Dillavou.* Am. Law School Rev. May, 1933.

———. No-account accounting. *C. B. Reeves.* Am. Mercury. May, 1933.

———. The "ordeal by water" of the holding company. *W. A. Prendergast.* Pub. Util. Fort. May 11, 1933.

———. **Municipal Ownership.** Why the state utility commissions should regulate the municipal plants. *Howell Wright.* Pub. Util. Fort. May 25, 1933.

———. **Power.** The power problem. *M. G. Miller.* Social Sci. Apr., 1933.

———. Uncontrolled expansion in the light and power industry. *R. J. Smith.* Yale Law Jour. June, 1933.

———. **Railroads.** The future of transportation. *G. L. Wilson.* Social Sci. Apr., 1933.

———. Some suggestions for the railroads. *Tyler Turner.* Harper's. June, 1933.

———. Compulsory extension of railroads under the transportation act of 1920. *Note Editor.* Harvard Law Rev. June, 1933.

———. Why upset price? An argument for reorganization by decree. *R. F. Colin.* Ill. Law Rev. June, 1933.

———. **Rate-Making.** The valuation of public utility properties in Virginia. *A. G. Gruchy.* Va. Mun. Rev. Apr., 1933.

———. Uniform rate areas and current judicial attitudes. *W. E. Caine.* Jour. Land & Pub. Util. Econ. May, 1933.

———. The current economic and political trend toward the prudent investment principle of utility rate-making. *W. H. Mullen.* Pub. Util. Fort. June 8, 1933.

Radio. The freedom of radio speech. *Note Editor.* Harvard Law Rev. Apr., 1933.

———. The coming fight over news. *Allen Raymond.* New Outlook. June, 1933.

Reconstruction Finance Corporation. One year of the reconstruction finance corporation. *J. F. Ebersole.* Quar. Jour. Econ. May, 1933.

Regionalism. U. R. A.—a new American nation. *E. M. Barrows.* New Outlook. May, 1933.

———. Regions versus states. *Amry Vandenbosch.* Ky. Law Jour. June, 1933.

Representative Government. A challenge. *Philip Cabot.* Atlan. Mo. May, 1933.

Roosevelt. President Roosevelt and the new deal. *Sir Frederick Whyte.* Nine. Cent. May, 1933.

———. Presidential planning. *E. F. Brown.* Current Hist. June, 1933.

———. President Roosevelt's program for recovery. *Anon.* Round Table. June, 1933.

———. White house technique. *F. R. Kent.* Va. Quar. Rev. July, 1933.

Securities Legislation. What can the regulatory securities act accomplish?

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

O. M. Steig. Control of securities selling: anti-fraud legislation. *Watson Washburn.* Mich. Law Rev. Apr., 1933.

Tariff. Tariff issues confronting the new administration. *M. S. Stewart.* For. Policy Rep. Mar. 29, 1933.

———. The beet-sugar industry: a study in tariff protection. *Irving Bettman, Jr.* Harvard Bus. Rev. Apr., 1933.

———. Should the U. S. adopt a reciprocity tariff policy? *Cordell Hull* and *Others.* Cong. Digest. May, 1933.

———. Let's be honest about the tariff. *H. H. Powers.* Atlan. Mo. May, 1933.

———. Tariffs and trade barriers. *W. R. Burgess* and *Others.* Proc. Acad. Pol. Sci. June, 1933.

Taxation. The real estate tax: capitalization and benefit. *S. E. Leland* and *E. H. Spengler.* Bull. Nat. Tax Assoc. May, 1933.

———. Building obsolescence and the assessor. *J. E. Burton.* Jour. Land & Pub. Util. Econ. May, 1933.

———. Tax delinquency analyzed. *A. W. Noonan.* Mich. Mun. Rev. May, 1933.

———. A challenge to reform. *E. M. Barrows.* Nat. Mun. Rev. May, 1933.

———. Tax delinquency. *H. D. Simpson* and *N. F. Baker.* Ill. Law Rev. June, 1933.

———. Conflicting taxation. State Govt. July, 1933.

———. **Income Tax.** Three common constitutional misconceptions of income tax law. *Frederic Sammond.* Wis. Law Rev. Apr., 1933.

———. When is income realized? *Roswell Magill.* Harvard Law Rev. Apr., 1933.

———. The constitutionality of the Illinois income tax law of 1932. *J. N. Hughes.* Chicago Law Rev. May, 1933.

Tort Claims Bill. The federal tort claims bill. *E. M. Borchard.* Chicago Law Rev. May, 1933.

Unemployment Relief. The Illinois emergency relief commission. *F. C. Glick.* The California unemployment commission. *Louis Bloch.* Soc. Service Rev. Mar., 1933.

———. Making booms bear the burden of relief. *S. H. Slichter.* Harvard Bus. Rev. Apr., 1933.

———. The outlook for unemployment insurance. *J. P. Troxell.* So. Atlantic Quar. Apr., 1933.

———. Government. *J. P. Chamberlain.* Am. Jour. Soc. May, 1933.

———. Toward unemployment insurance. *I. M. Rubinow.* Current Hist. June, 1933.

FOREIGN AND COMPARATIVE GOVERNMENT

Books

Alcala-Galiano, A. The fall of a throne. Pp. 256. London: Thornton Butterworth.

Andreades, A. M. A history of Greek public finance. Vol. 1. Cambridge: Harvard Univ. Press.

Bardoux, J. L'ile et l'europe. Pp. 520. Paris: Delagrave.

Bélime, E. L'heure de la France. Pp. 168. Paris: Alcan.

Bernstein, S. The beginnings of Marxian socialism in France. N. Y.: Elliott Pub. Co.

Birkenhead, Earl of. Frederick Edwin, Earl of Birkenhead. Pp. 319. London: Thornton Butterworth.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Blunt, E. A. H. The caste system of northern India. Pp. 374. N. Y.: Oxford Univ. Press.

Bochow, M. Was wird aus Deutschland? Pp. 124. Leipzig: Hermann & Schulze.

Bolitho, Hector. Alfred Mond, first Lord Melchett. Pp. 402. N. Y.: Appleton.

Boret, V. Le paradis infernal. Pp. 410. Paris: Quillet.

Bourceret, A. Les associations professionelles ouvrières en allemagne, leur development depuis 1914. Paris: Libr. de Droit et Juris.

Brandenburg, E. From Bismarck to the world war. Pp. 542. London: Oxford Univ. Press.

Brayshaw, S. N. Unemployment and plenty. Pp. 148. London: Allen & Unwin.

Brown, B. J. From pharaoh to Hitler. Chicago: Consolidated Book Publishers.

Brown, E. T. This Russian business. Pp. 256. London: Allen & Unwin.

Chablani, H. L. Indian currency. 2nd ed. London: Oxford Univ. Press.

Challaye, F. The soul of Japan. Pp. 152. London: Routledge.

Clinchy, E. R. The strange case of Herr Hitler. (Pamphlet.) N. Y.: John Day.

Cooper, H. How the empire grew. Pp. 157. London: Lutterworth Press.

Czech-Jochberg, E. Hitler, eine deutsche Bewegung. Pp. 217. Oldenburg: Stalling.

Danaillow, G. T. Les effets de la guerre en Bulgarie. Pp. 752. Paris: Univ. de France.

Dousse, J. La politique économique de l'u. r. s. s. appliquée à son commerce extérieur. Pp. 237. Paris: Giard.

Dyboski, R. Poland. Pp. 448. London: Benn.

El-Shorbagi, A. La responsibilité des ministres devant les sénats et les chambres hautes. Paris: Giard.

Forbes, R. Eight republics in search of a future. Pp. 340. London: Cassell.

Fraser, H. F. Great Britain and the gold standard. Pp. 206. London: Macmillan.

Frateco. M. Hitler, dictateur. Pp. 280. Paris: L'Eglantine.

Friedman, E. M. Russia in transition. Pp. 614. London: Allen & Unwin.

Gordon, Ernest. The dry fight in Europe. Pp. 246. Washington: Washington College Press.

Green, J. Mr. Baldwin. Pp. 276. London: Low.

Greenwall, H. J. Storm over India. Pp. 287. London: Hurst & Blackett.

Halfeld, A. England: Verfall oder Aufstieg? Pp. 232. Jena: Diederichs.

Hoyland, J. S. The new Russia. (Pamphlet.) London: Allenson.

Hutt, Allen. The condition of the working class in Britain. Pp. 289. N. Y.: Int. Publishers.

Jain, L. C. The monetary problems of India. Pp. 222. London: Macmillan.

Janowsky, O. I. The Jews and minority rights. Pp. 419. N. Y.: Columbia Univ. Press.

Kemp, T. D., Jr. Adolf Hitler and the nazis. (Pamphlet.) N. Y.: R. C. Cook.

Krupskaya, N. K. Memories of Lenin. Vol. 2. N. Y.: Int. Publishers.

Le Dantec. L'initiative populaire, le référendum, et le plébiscite dans le reich et les pays allemands. Pp. 420. Paris: M. Rivière.

Lever, T. Profit and loss. Pp. 256. London: Thornton Butterworth.

Mills, L. A. Ceylon under British rule, 1795–1932. Pp. 312. London: Oxford Univ. Press.

Minney, R. J. India marches past. Pp. 292. N. Y.: Appleton.

Morrison, H. Socialisation and transport. Pp. 314. London: Constable.

Musat, P. De Marx à Hitler. Pp. 142. Paris: Alcan.

Myerson, A. and *Goldberg, I.* The German Jew. N. Y.: Knopf.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

National Industrial Conference Board. Economic conditions in foreign countries, 1932–1933. N. Y.: Nat. Industrial Conference Bd.

Nehru, S. S. Caste and credit in the rural area. Pp. 190. N. Y.: Longmans.

O'Faolain, S. The life story of Eamonn de Valera. Pp. 110. Dublin: Talbot Press.

Omond, J. S. Parliament and the army, 1642–1904. Pp. 195. N. Y.: Macmillan.

Papen, F. von. Appel an das deutsche Gewissen. Pp. 103. Oldenburg: Stalling.

Pezet, E. and *Simondet, H.* La yougoslavie en péril? Pp. 288. Paris: Bloud et Gay.

Piatnitsky, O. Memoirs of a bolshevik. Pp. 224. N. Y.: Int. Publishers.

Pinnow, Hermann. History of Germany. Pp. 481. N. Y.: Macmillan.

Plutynski, A. The German paradox. Pp. 231. London: Wishart.

Pasadowsky-Wehner, A. Volks und Regierung im neuen Reich. Pp. 238. Berlin: Schröder.

Reibnitz, F. K. von. Im Dreieck Schleicher, Hitler, Hindenburg. Pp. 229. Dresden: Reisner.

Reventlow, E. Nationaler Sozialismus im neuen Deutschland. Pp. 111. Leipzig: C. E. Krug.

Rhinewine, A. Looking back a century. Toronto (Canada): Kraft Press.

Rosenberg, K., and *Hopkins, R. T.* The romance of the bank of England. Pp. 288. London: Thornton Butterworth.

Sammé, G. Raymond Poincaré. Pp. 400. Paris: Oeuvres reps.

Scherer, J. A. B. Japan—whither? Pp. 145. London: E. G. Allen.

Schmidt-Pauli, E. Hitlers Kampf um die Macht. Pp. 191. Berlin: Stilke.

Schwager, J. Die Entwicklung Afghanistans als Staat und seine zwischenstaatlichen Beziehungen. Pp. 100. Leipzig: Noske.

Severo, A. Les bases erronées du communisme russe. Pp. 283. Paris: Muller.

Sharga, B. Gandhi. Pp. 436. London: Luzac.

Sieburg, F. Défense du nationalisme allemand. Pp. 300. Paris: Grasset.

Sleeman, J. H. C. White China. Pp. 343. Sidney (N.S.W.): Ultimo.

Somary, Felix. End the crisis. Pp. 111. N. Y.: Dutton.

Soni, H. R. Indian industry and its problems. Vol. 1. London: Longmans.

Spaull, H. Youth of Russia today. Pp. 167. London: Nicholson.

Steffen, F. Die auswärtige Gewalt und der Reichspräsident. Pp. 114. Berlin: Rothschild.

Stewart, George. The white armies of Russia. Pp. 482. N. Y.: Macmillan.

Stewart, Sir J. P. A physician's tour in soviet Russia. Pp. 175. N. Y.: Stokes.

Sykes, J. British public expenditure, 1921–1931. Pp. 388. London: King.

Thompson, J. India: the white paper. London: Macmillan.

Viollis, A. Le japan et son empire. Pp. 300. Paris: Grasset.

Wallach, Sidney. Hitler, menace to mankind. (Pamphlet.) N. Y.: Emerson Books.

Winter, Ella. Red virtue. Pp. 344. N. Y.: Harcourt.

Wise, J. W. Swastika, the nazi terror. Pp. 128. N. Y.: Smith & Haas.

Wisura, E. Im Namen des Gesetzes! Pp. 240. Leipzig: Koehler.

Zacharias, H. C. E. Renascent India. Pp. 304. London: Allen & Unwin.

Articles

Australia. Principles in practice (a survey of the application and operation of the principles of public administration under the South Australian government). *H. G. Pope.* Pub. Admin. Apr., 1933.

British Empire. L'Angleterre et les dominions. *Boris Schatzky.* Rev. Droit Int. Sci. Dipl. et Pol. Jan., 1933.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

———. Parliamentary status and provincial legislatures. *W. Heighington.* Canadian Bar Rev. May, 1933.

Canada. Evolution and reform of the Canadian cabinet. *N. M. Rogers.* Canadian Bar Rev. Apr., 1933.

———. Why Canadian banks don't fail. *Guy Greer.* Harper's. May, 1933.

———. The effect of the depression on Canadian politics, 1929–32. *Escott Reid.* Am. Pol. Sci. Rev. June, 1933.

China. China: a record of progress. *Su-Le Chang.* Asiatic Rev. Apr., 1933.

———. Economic disintegration in China. *Chen Han-seng.* Pacific Affairs. Apr., 1933.

———. The communist movement in China. *T. A. Bisson.* For. Policy Rep. Apr. 26, 1933.

———. China submits to chaos. *Ralph Townsend.* Current Hist. June, 1933.

———. China after the loss of Manchuria. *Anon.* Round Table. June, 1933.

———. China's alleged progress. *J. O. P. Bland.* Eng. Rev. June, 1933.

———. China waits. *William Martin.* Va. Quar. Rev. July, 1933.

Fascism. Fascism after ten years. *H. E. Jensen.* So. Atlantic Quar. Apr., 1933.

Finland. Sidelights on Finland. *E. W. Polson Newman.* Contemp. Rev. May, 1933.

France. France—the reactionary republic. *Robert Briffault.* Scribner's. May, 1933.

———. La revision constitutionnelle. *B. Mirkine-Guetzevitch.* Rev. Pol. et Parl. May, 1933.

———. French colonial policy—the decline of association. *M. M. Knight.* Jour. Mod. Hist. June, 1933.

Germany. Hitler and the German political crisis. *M. S. Wertheimer.* For. Policy Rep. Mar. 1, 1933.

———. Classes moyennes et national-socialisme en allemagne. *H. Laufenburger.* Rev. Pol. et Parl. Apr., 1933.

———. Verfassungsneubau. *Walter Jellinek.* Neuordnung von Reich und Ländern. *Dr. Medicus.* Reich u. Länder. May, 1933.

———. Hitler's age of heroism. *Harrison Brown.* Contemp. Rev. May, 1933.

———. Platform of the Hitler movement. *E. T. Mohme.* Sociol. & Soc. Research. May, 1933.

———. Impressions of Hitler's Germany. *G. E. R. Gedye.* Contemp. Rev. June, 1933.

———. Is German democracy doomed? *L. J. Stanley.* Dublin Rev. June, 1933.

———. German realities. *George Gerhard.* N. Am. Rev. June, 1933.

———. Direct legislation in the German länder. *L. S. Greene.* Am. Pol. Sci. Rev. June, 1933.

———. Nazi Germany. *Anon.* Round Table. June, 1933.

———. Hitler's propaganda machine. *R. B. Nelson.* Nazi treatment of the Jews. Nazis consolidate their power. *S. B. Fay.* Current Hist. June, 1933.

Great Britain. Le personnel du cabinet en angleterre, 1801–1924. *H. J. Laski.* Rev. Droit Pub. & Sci. Pol. Jan., 1933.

———. Scottish self-government. *Sir Andrew Grierson.* Pub. Admin. Apr., 1933.

———. The constitution in crisis. *Sir Harrison Moore.* Quar. Rev. Apr., 1933.

———. Unemployment benefits and measures for occupying the unemployed in Great Britain. *Henri Fuss.* Int. Labour Rev. May, 1933.

———. Mr. Chamberlain's second budget. *F. W. Hirst.* Contemp. Rev. June, 1933.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

———. The national government in decline. *A. L. Rowse.* Nine. Cent. June, 1933.

India. India's social and religious problems and the new constitution. *Sir Albion Banerji.* The political status of Indian women. *Eleanor Rathbone.* The native states in Netherlands India. *J. C. Kielstra.* Asiatic Rev. Apr., 1933.

———. The white paper. *Lord Meston.* Contemp. Rev. May, 1933.

———. India—the longer view. *Sir Elliot Colvin.* Nine. Cent. May, 1933.

———. The reception of the Indian white paper. *Anon.* Round Table. June, 1933.

———. The viceroy of the future. *J. R. G. Bolton.* Fort. Rev. June, 1933.

———. The pseudo-democracy of the white paper. *Sir M. F. O'Dwyer.* Nat. Rev. June, 1933.

Iraq. Independent Iraq. *Richard Coke.* Contemp. Rev. May, 1933.

Italy. L'Italie fasciste à la recherche de l'équilibre social. *A. Nicolas.* Rev. Pol. et Parl. Apr., 1933.

Japan. The government of Japan. *H. S. Quigley.* Open Court. Apr., 1933.

Latin America. Radicalism in Latin America. *W. L. Schurz.* Catholic World. May, 1933.

———. South American conflicts. *J. C. de Wilde.* For. Policy Rep. May 24, 1933.

Liberia. Uncle Sam's black step-child. *G. S. Schuyler.* Am. Mercury. June, 1933.

Palestine. The Palestine boom. *William Zukerman.* Harper's. May, 1933.

———. Zionist dreams and realities. *William Zukerman.* Fort. Rev. May, 1933.

Russia. Soviet Russia as a federal state. *Sidney Webb.* Pol. Quar. Apr., 1933.

———. The air code of the U.S.S.R. *I. S. Pereterski.* Air Law Rev. Apr., 1933.

———. The Moscow trials and the five-year plan. *George Soloveytchik.* Nine. Cent. May, 1933.

———. The soviet's war on the peasants. *Malcolm Muggeridge.* Fort. Rev. May, 1933.

———. Russia and America: a study in contrasts. *Wm. H. Chamberlin.* Atlan. Mo. July, 1933.

South Africa. The removal of the native vote. *H. J. Schlosberg.* South African Law Times. Apr., 1933.

Spain. A Spanish lesson. *Sir George Young.* Contemp. Rev. June, 1933.

INTERNATIONAL RELATIONS

Books

American Committee. The case for China. N. Y.: American Committee for Justice to China.

Amos, H. E. Staatssouveränität und Minderheiteurecht. Pp. 148. Berlin: Stilke.

Angell, J. W., ed. The program for the world economic conference. (Pamphlet.) Boston: World Peace Found.

Arnold, R., comp. Treaty-making procedure. (Pamphlet.) London: Oxford Univ. Press.

Bailey, S. H. International studies in Great Britain. Pp. 124. London: Oxford Univ. Press.

Cohen-Portheim, P. Die Entdeckung Europas. Pp. 297. Berlin: Neff.

Corbach, O. The open door. Pp. 355. London: Cape.

Consolidated index to the survey of international affairs, 1920–1930. Pp. 214. N. Y.: Oxford Univ. Press.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Barandon, P. Le système juridique de la société des nations pour la prévention de la guerre. Pp. 450. Paris: Pedone

Dawson, W. H. Germany under the treaty. Pp. 421. London: Allen & Unwin.

Eells, Hastings. Europe since 1500. Pp. 632. N. Y.: Holt.

Einaudi, L. La condotta economica e gli effetti sociali della guerra italiana. New Haven: Yale Univ. Press.

Einstein, A., and *Freud, S.* Why war? London: Allen & Unwin.

Geöcze, B. von. Die Züstandigkeit der internationalen Gerichtshöfe. Pp. 344. Berlin: Dümmlers.

Gideonse, H. D. War debts. (Pamphlet.) London: Cambridge Univ. Press.

Gill, D. L. Anglo-American year-book, 1933. London: Am. Chamber of Commerce.

Group on International Monetary Problems. Monetary policy and the depression. Pp. 122. London: Oxford Univ. Press.

Günther, E. G. La mission de la jeune génération. Pp. 432. Paris: Libr. Plon.

Heiss, F. and *Ziegfeld, A. H.* Deutschland und der Korridor. Pp. 495. Berlin: Volk u. Reich Verl.

Herriot, E. Le problème des dettes. Pp. 128. Paris: Fasquelle.

Hosono, G. Histoire du désarmement. Pp. 256. Paris: Pedone.

Lambert, J. Les nations contre la paix. Pp. 238. Paris: Alcan.

League of Nations. International institute of intellectual coöperation. Pp. 146. Boston: World Peace Found.

Lippmann, Walter, ed. The United States in world affairs. Pp. 355. N. Y.: Harpers.

Mong, G. La position juridique du japan en mandchourie. Pp. 268. Paris: Pedone.

Moore, J. B., ed. International adjudications. Vol. 5. N. Y.: Oxford Univ. Press.

Moulton, H. G. International economic recovery. (Pamphlet.) Minneapolis: Univ. of Minn. Press.

Neubauer, T. Deutsche Aussenpolitik heute und morgen. Pp. 142. Zurich: Int. Arbeiter-Verl.

Nishani, T. O. Albanien, das Wunschland Mussolinis. Pp. 150. Halle: Selbstverlag.

Ohlin, B. Interregional and international trade. Cambridge: Harvard Univ. Press.

Ouang, R. H. Essai sur le régime des capitulations en chine. Pp. 420. Paris: Recueil Sirey.

Permanent Court of International Justice. Ten years of international jurisdiction, 1922–1932. Pp. 148. London: Allen & Unwin.

Piotrowski, R. Cartels and trusts. Pp. 376. London: Allen & Unwin.

Ralli. Essai sur le problème de l'entente européenne. Pp. 354. Paris: A. Pedone.

Remer, C. F. Foreign investments in China. N. Y.: Macmillan.

Rudinsky, J. La révision du traité de Trianon. Pp. 267. Paris: Recueil Sirey.

Salter, Sir Arthur. The framework of an ordered society. (Pamphlet.) N. Y.: Macmillan.

Schmidt, R., and *Grabowsky, A.*, eds. The problem of disarmament. Pp. 235. Berlin: Heymanns.

Scott, James Brown, ed. Gentili: de jure belli libri tres. 2 vols. N. Y.: Oxford Univ. Press.

Seldes, George. World panorama, 1918–1933. Pp. 392. Boston: Little, Brown.

Simonds, F. H. America must cancel. (Pamphlet.) London: H. Hamilton.

Soddy, Frederick. Money versus man. Pp. 121. N. Y.: Dutton.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Spiropoulos, J. Traité théorique et pratique de droit international public. Paris: Droit et Juris.

Stoker, S. The schools and international understanding. Chapel Hill (N. C.): Univ. of N. C. Press.

Swain, J. W. Beginning the twentieth century. Pp. 642. N. Y.: Norton.

Tchernoff, J. Ententes économiques et financières. Pp. 820. Paris: Recueil Sirey.

Van Kirk, W. W., and *Douglass, P. F.* Men conquer guns. (Pamphlet.) N. Y.: Fed. Council of Churches of Christ.

Van Zeeland, P. A view of Europe, 1932. Baltimore: Johns Hopkins Press.

Vizetelly, F. H., ed. New international year-book. Pp. 856. N. Y.: Funk & Wagnalls.

Walz, G. A. Völkerrecht und staatliches Recht. Pp. 503. Stuttgart: Kohlhammer.

Wheeler-Bennett, J. W. The wreck of reparations. N. Y.: W. Morrow.

White, H. D. The French international accounts, 1880–1913. Pp. 376. Cambridge: Harvard Univ. Press.

Williams, C. H. La limitation des armements navals. Pp. 118. Paris: Bossuet.

Wilson, A. The United States and the league. Pp. 109. London: Allen & Unwin.

Woodward, D. B. The London conference. (Pamphlet.) Garden City (N. Y.): Doubleday.

Articles

Aliens. Treatment of foreigners. *J. W. Cutler.* Am. Jour. Int. Law. Apr., 1933.

American Foreign Relations. The United States and the league of nations during 1932. *Geneva Research Center.* Geneva Spec. Studies. No. 12, 1932.

———. American foreign policy. *Clarence A. Berdahl.* Am. Jour. Soc. May, 1933.

———. The Lodge corollary to the Monroe doctrine. *T. A. Bailey.* Pol. Sci. Quar. June, 1933.

———. American recognition policy toward the republic of China, 1912–1913. *M. E. Cameron.* Pacific Hist. Rev. June, 1933.

———. Frenchmen look at America. *Alice Storms.* N. Am. Rev. June, 1933.

———. Our stake in the orient. *T. J. Betts.* Va. Quar. Rev. July, 1933.

Arbitration. The Anglo-Mexican special claims commission. *G. G. Phillips.* Law Quar. Rev. Apr., 1933.

Balkans. La frontière adriatique. *Jacques Ancel.* La politique des grandes puissances et les balkans. *S. Daneff.* L'Esprit Int. Apr., 1933.

Boundaries. Maps as evidence in international boundary disputes. *C. C. Hyde.* Am. Jour. Int. Law. Apr., 1933.

Boycott. The arms embargo and neutrality. *E. M. Borchard.* Am. Jour. Int. Law. Apr., 1933.

———. The boycott in international law. *E. A. Brown.* Canadian Bar Rev. May, 1933.

———. The arms embargo resolution and American neutrality. *Comments Editor.* Yale Law Jour. May, 1933.

———. The boycott as a sanction of international law. *C. C. Hyde.* Pol. Sci. Quar. June, 1933.

Disarmament. The draft disarmament convention: a synthesis of conference decisions. Geneva Spec. Studies. No. 1, 1933.

———. La réduction des armements. *André Chaumeix.* L'Esprit Int. Apr., 1933.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

———. Disarmament and the British plan. *Captain J. R. Kennedy.* Nine. Cent. May, 1933.

Europe. Frankreichs Bündnisse ein Verstoss gegen das Völkerrecht. *F. Kraemer-Diethardt.* Europäische Gespräche. Mar., 1933.

———. Abrüstung und Vier-Mächte-Pakt. *Ramsay MacDonald.* Europäische Gespräche. Mar., 1933.

———. Germany and the Versailles frontiers. *George Glasgow.* Contemp. Rev. May, 1933.

———. Political realignments in Europe. *V. M. Dean.* For. Policy Rep. May 10, 1933.

———. Treaty revision. *Anon.* Round Table. June, 1933.

———. Europe moves toward war. *F. H. Simonds.* Harper's. June, 1933.

———. Poland looks down the corridor. *H. H. Railey.* Forum. June, 1933.

———. Poland and the little entente. *Frederic A. Ogg.* The seeds of Europe's next war. *B. Z. Goldberg* and *Shephard Stone.* Current Hist. June, 1933.

Extradition. Political offenses in the law and practice of extradition. *L. L. Deere.* Am. Jour. Int. Law. Apr., 1933.

———. Evidence of culpability in proceedings for extradition. *L. R. Tharaud.* Cornell Law Quar. June, 1933.

Inter-American Relations. The United States and economic Pan-America. *John Donaldson.* Social Sci. Apr., 1933.

———. The Leticia dispute between Colombia and Peru. *L. H. Woolsey.* Am. Jour. Int. Law. Apr., 1933.

———. L'affaire de Leticia entre la Colombie et le Pérou. *J. M. Yepes.* Le conflit de Leticia et la procédure de conciliation. *V. M. Maurtura.* Examen de la validité internationale du traité Salomon-Lozano. *Paul de La Pradelle.* Rev. Droit. Int. Jan., 1933.

International Law. Y-a-t-il des crimes internationaux? *Jacques Dumas.* La protection des intérêts des particuliers devant les jurisdictions internationales. *F. Baumgarten.* Rev. Droit. Int. et Légis. Comp., No. 4, 1932.

———. Die Gebietsgarantie des Völkerbundes. *Werner Wilmanns.* Pseudo-positivismus und Pseudonaturrechslehre in der Völkerrechtswissenschaft. *Géza Birkas.* Zeitschrift Völkerrecht. No. 1, 1933.

———. L'adattamento del diritto interno al diritto internazionale in alcune recenti costituzioni. *G. Morelli.* Riv. Diritto Int. Jan., 1933.

———. L'institut de droit international à Oslo, 16–23 Août 1932. *James Brown Scott.* Rev. Droit Int. Jan., 1933.

———. International law and the constitution. *G. G. Wilson.* Boston Univ. Law Rev. Apr., 1933.

———. L'équité en droit international moderne. *M. Mouskhéli.* Rev. Gén. Droit Int. Pub. May, 1933.

International Trade and Finance. War debts and peace credits: an American view. *W. Y. Elliott.* Pol. Quar. Apr., 1933.

———. Squaring the circle of the international account. *A. E. Taylor.* Harvard Bus. Rev. Apr., 1933.

———. La conférence économique mondiale. *Sir Arthur Salter.* L'Esprit Int. Apr., 1933.

———. The legal structure of the bank for international settlements. *J. E. Reynolds.* Am. Bar Assoc. Jour. May, 1933.

———. The Suez canal: barrier or highway. *Sir Arnold Wilson.* France and the economic conference. *W. M. Fullerton.* Crisis and peace. *Major E. W. Polson Newman.* Nine. Cent. June, 1933.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

———. The problem before the world conference. *L. S. Amery.* Some comments on the trade agreements. *H. G. Williams.* Eng. Rev. June, 1933.

———. "A very hard nut to crack." *George Glasgow.* Fort. Rev. June, 1933.

———. World debts and the economic conference. *Anon.* Round Table. June, 1933.

———. The U. S. in this economic world. *George Sokolsky.* New Outlook. June, 1933.

———. Private American loans to the allies, 1914–1916. *R. W. Van Alstyne.* Pacific Hist. Rev. June, 1933.

———. Problems before the world economic conference. *M. S. Stewart.* For. Policy Rep. June 7, 1933.

League of Nations. The league of nations today. *F. R. Hely-Hutchinson.* Empire Rev. May, 1933.

———. The league and the club of four. *E. J. Dillon.* Fort. Rev. May, 1933.

Mandates. La doctrine juridique des mandats. *M. Makowski.* Sur la procédure en matière de pétition dans les pays sous-mandats et quelques-unes de ses insuffisances. *M. Sibert.* Rev. Gén. Droit Int. Pub. May, 1933.

Nationalism. The end of nationalism. *Christian Gauss.* Scribner's. May, 1933.

———. The origin and evolution of nationalism. *J. M. Wolfe.* Catholic World. May, 1933.

———. Nationalism the world's bane. *John Hallett.* Fort. Rev. June, 1933.

Pacific. Diplomatic machinery in the Pacific. *Australian Council.* Pacific Affairs. Apr., 1933.

———. When the shooting is over in the Pacific. *Upton Close.* Scribner's. May, 1933.

———. A new deal in the Pacific. *Hamilton Butler.* N. Am. Rev. June, 1933.

Prize Law. Prize law procedure at sea—its early development. *Francis Deak* and *P. C. Jessup.* Tulane Law Rev. June, 1933.

Russia. The recognition of the government of the Union of Soviet Socialist Republics. *P. M. Brown.* Am. Jour. Int. Law. Apr., 1933.

———. *A propos* the soviet maritime code. *S. Dobrin.* Law Quar. Rev. Apr., 1933.

———. The trend of Soviet-German commercial relations and its significance. *E. D. Foster.* Harvard Bus. Rev. Apr., 1933.

Sino-Japanese Conflict. Rechtsprobleme des Mandschureikonflikts. *Yuen-Li Liang.* Zeitschrift Völkerrecht. No. 1, 1933.

———. Japan and Jehol. *E. T. Williams.* The report of the assembly of the league of nations on the Sino-Japanese dispute. *M. O. Hudson.* Am. Jour. Int. Law. Apr., 1933.

———. Les causes du conflit mandchou. *K. K. Kawakami.* L'Esprit Int. Apr., 1933.

———. The case for Japan. *W. Kirkpatrick.* Eng. Rev. May, 1933.

Treaties. The revision of treaties. *P. B. Potter.* Geneva Spec. Studies, No. 9, 1932.

———. Méthodes de conclusions des traités internationaux. *J. Basdevant.* Rev. Droit Int. Jan., 1933.

———. The supreme court interprets the liquor treaties. *E. D. Dickinson.* Am. Jour. Int. Law. Apr., 1933.

Vatican. The state of the city of the vatican. *Gordon Ireland.* Am. Jour. Int. Law. Apr., 1933.

War. The covenant of the league of nations and war. *Sir John Fischer Williams.* Cambridge Law Jour. Vol. V, No. 1, 1933.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

———. La convention générale en vue de développer les moyens de prévenir la guerre et la sécurité de la Belgique. *F. Van Pierlynckhove.* Rev. Droit Int. et Légis. Comp. No. 4, 1933.

———. What is war? *Sir John W. Fortescue.* Blackwood's. May, 1933.

———. The peace machine—again. *J. E. T. Harper.* Nat. Rev. June, 1933.

World Court. L'acceptation, sans réciprocité, de la juridiction obligatoire de la cour permanente de justice internationale. *G. Enriques.* Rev. Droit Int. et Légis. Comp. No. 4, 1932.

JURISPRUDENCE

Books

Alexander, C. The law of arrest. Rev. ed. Yonkers (N. Y.): Yonkers Pub. Co.

Andréadès, S. Le contentieux administratif des états modernes et la juridiction administrative en Greece. Pp. 563. Paris: Recueil Sirey.

Berthélemy, H. Traité élémentaire du droit administratif. Pp. 1186. Paris: Rousseau.

Cohen, M. R. Law and social order. Pp. 415. N. Y.: Harcourt.

Doctor. Psychology in court. Pp. 131. London: Williams.

Doukhan, M. Laws of Palestine, 1926–1931. 2 vols. London: Stevens.

Durai, J. C. Hindu law in a nutshell. Pp. 119. London: Sweet & Maxwell.

Geiler, K. Beiträge zum modernen Recht. Pp. 166. Berlin: Bensheimer.

Lacour, L. Précis de droit maritime. Pp. 353. Paris: Dalloz.

Lintzel, M. Die Stände der deutschen Volksrecht, hauptsächlich der Lex Saxonum. Pp. 113. Halle: Niemeyer.

Marshall, L. C. Unlocking the treasures of the trial courts. Baltimore: Johns Hopkins Press.

Moley, Raymond, and *Wallace, S. C.,* eds. The administration of justice. Philadelphia: Annals of Am. Acad. Pol. and Soc. Science.

Rhodes, H. T. F. Clues and crime. Pp. 283. London: John Murray.

Schlegelberger, F., and *Others.* Das Recht der Neuzeit. Pp. 328. Berlin: Vahlen.

Scudder, K. J., and *Beam, K. S.* Why have delinquents? (Pamphlet.) Los Angeles: Rotary Club.

Smith, B. Rural crime control. N. Y.: Columbia Univ. Press.

Stephens, H. M. Administrative tribunals and the rules of evidence. Cambridge: Harvard Univ. Press.

Articles

Air Law. The freedom of the air. *Maxwell Garnett.* Contemp. Rev. May, 1933.

Common Law. The assize *Utrum* and canon law in England. *S. E. Thorne.* Columbia Law Rev. Mar., 1933.

———. The early history of the canon law. *F. M. Powicke.* History. Apr., 1933.

Conflict of Laws. Das internationale Eherecht Jugoslawiens in seinen Beziehungen zur anderen europäischen und aussereuropäischen Rechten. *D. M. Kauschansky.* Rev. Droit Int. Sci. Dipl. et Pol. Jan., 1933.

———. The execution of foreign judgments in Germany. *A. P. Mowitz.* Pa. Law Rev. May, 1933.

Crime. Public policy and the arrest of felons. *J. B. Waite.* Mich. Law Rev. Apr., 1933.

———. The scientific detection of crime. *N. F. Baker* and *F. E. Inbau.* Minn. Law Rev. May, 1933.

———. Crime and the cortex. *A. W. Hinshaw.* Harper's. May, 1933.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

———. The classification of crimes. *J. W. MacDonald.* Cornell Law Quar. June, 1933.

Criminal Law. Insanity in criminal cases in Wisconsin. *Gregory Gramling.* Marquette Law Rev. Apr., 1933.

Delinquency. Notes on juvenile delinquency. *M. Fortes.* Sociol. Rev. Jan., 1933.

Equity. The stage of equity. *Sidney Smith.* Canadian Bar Rev. May, 1933.

———. Bacon as a chancery judge. *G. W. Keeton.* Ia. Law Rev. May, 1933.

Judiciary. The English police court as a court of family relations. *Albert Lieck.* Idaho Law Jour. Mar., 1933.

———. Small claims courts for Texas. *R. W. Stayton.* The Texas court of criminal appeals. *Keith Carter.* Texas Law Rev. Apr., 1933.

———. Rufus Choate on judicial tenure. Complete rule-making power in New Mexico. Jour. Am. Jud. Soc. June, 1933.

Law. Essays in law reform. *D. N. Pritt.* Pol. Quar. Apr., 1933.

———. Economic illusions underlying law. *D. R. Richberg.* Chicago Law Rev. May, 1933.

———. Genetics and the law. *H. F. J. Schroeder.* St. John's Law Rev. May, 1933.

———. Is the law an ass? *J. B. Waite.* Atlan. Mo. May, 1933.

———. Hierarchy of sources and forms in different systems of law. *Roscoe Pound.* Tulane Law Rev. June, 1933.

———. The legal mind. *L. L. Fuller.* Atlan. Mo. July, 1933.

Legal Aid. Legal aid clinic: training for the art of law practice. *J. S. Bradway.* St. John's Law Rev. May, 1933.

Legal Education. Social objectives in legal education. *L. H. Keyserling.* Columbia Law Rev. Mar., 1933.

———. Integrating law school and community. *Leon Green.* Am. Law School Rev. May, 1933.

———. Why not a clinical lawyer-school? *Jerome Frank.* Pa. Law Rev. June, 1933.

Louisiana. Dart: civil code of the state of Louisiana. *Michell Franklin.* Tulane Law Rev. June, 1933.

Penology. Penology and crime. *Clark Tibbitts.* Am. Jour. Soc. May, 1933.

———. Some delusions about crime. *J. F. Fishman* and *V. T. Perlman.* Harper's. June, 1933.

Philosophy of Law. Russische Rechtsphilosophie. *Max Laserson.* Archiv. Rechts u. Wirtschaftsphilosophie. Apr., 1933.

Rights. Abuse of rights. *H. C. Gulleridge.* Cambridge Law Jour. Vol. V, No. 1, 1933.

Roman Law. La idea romana en el proceso civil moderno. *G. Chiovenda.* Rev. Gen. Derecho y Juris. Apr., 1933.

———. Roman law in Aulus Gellius. *D. T. Oliver.* Cambridge Law Jour. Vol. V, No. 1, 1933.

Stare Decisis. Stare decisis—a practical view. *Burke Shartel.* Jour. Am. Jud. Soc. June, 1933.

———. A suggested modification of stare decisis. *W. F. Hanner.* Ill. Law Rev. June, 1933.

Statutory Interpretation. The functions of judge and jury in the interpretation of statutes. *F. J. de Sloovere.* Harvard Law Rev. May, 1933.

Talmud. Commercial law according to the Talmud. *Abraham Kamberg.* Com. Law Jour. May, 1933.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

———. Some aspects of *Withernam*, or the English mediaeval system of vicarious liability. *Erwin F. Meyer.* Speculum. Apr., 1933.

LOCAL GOVERNMENT

Books

Abercrombie, P. Town and country planning. Pp. 256. London: Butterworth.

Alburn, W. H. and *M. R.* This Cleveland of ours. 4 vols. Chicago: S. J. Clarke.

Comey, A. C. Transition zoning. Pp. 164. Cambridge: Harvard Univ. Press.

Fritzsche, H. Letzte Wandlungen und heutiger Stand der kantonalen Rechte. Pp. 816. Zurich: Rascher.

Harris, Sir P. London and its government. Pp. 272. London: Dent.

Hill, H. A., and *Naylor, T. W.* The complete law of town and country planning Pp. 422. London: Butterworth.

Regional Plan Association. From plan to reality. N. Y.: Regional Plan Assoc.

Ridley, C. E., and *Nolting, O. F.* How cities can cut costs. Chicago: Int. City Manager's Assoc.

Schüle, A. Staat und Selbstverwaltung in England. Pp. 256. Berlin: C. Heymann.

Seasongood, Murray. Local government in the United States: A challenge and an opportunity. Pp. 153. Cambridge (Mass.): Harvard Univ. Press.

The local government annual and official directory, 1933. Pp. 292. London: Local Government Journal Office.

Winslow, C. S. Chicago, past and present. Pp. 287. Chicago: Rand, McNally.

Articles

Chicago. Chicago, monographie urbaine. *René Sédillot.* Jour. Économistes. May, 1933.

City Manager. City managers and German burgomasters—a comparison. *G. C. S. Benson.* Nat. Mun. Rev. May, 1933.

City Planning. Economies in planning and housing. *Anon.* Pub. Management. May, 1933.

———. The replanning of London. *Nat. Rev.* June, 1933.

County Government. Consolidation of counties in North Dakota. *R. E. Brown* and *L. T. Roach.* Quar. Jour. Univ. N. D. No. 3, 1933.

Elections. Economies in elections. *Anon.* Pub. Management. May, 1933.

Employees. Modern municipal payroll procedure. *C. P. Messick.* Evaluating the worth of work. *F. Telford.* Police and fire salaries, 1929–1933. *O. E. Carr.* The St. Paul plan of adjusting salaries. *J. B. Probst.* Pub. Management. May, June, 1933.

England. The report of the committee on local expenditure (England and Wales). *R. A. Wetherall.* Committee on local expenditure (Scotland): national community of interests in local government. *J. S. Seggie.* Pub. Admin. Apr., 1933.

Finances. Paying debts in a depression. *C. H. Chatters.* The problem of refunding. *C. W. Ham.* Bolstering municipal credit. *P. V. Betters.* The bonded debt of 277 cities as of January 1, 1933. *C. E. Rightor.* Nat. Mun. Rev. June, 1933.

———. Legislative aid to creditors of defaulting state political subdivisions. *Legislation Editor.* Harvard Law Rev. June, 1933.

Fire. A survey of fire-fighting standards. *L. W. Hoelscher.* Pub. Management. June, 1933.

Governmental Organization. Economies in governmental structure. *Anon.* Pub. Management. May, 1933.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Housing. Break the housing blockade. *Lewis Mumford.* New Repub. May 17, 1933.

Italy. A charter of an Italian rural commune, 1488. *C. M. Ady.* Eng. Hist. Rev. Apr., 1933.

Liquor Regulation. Problems arising from regulating the sale of beer. *Ambrose Fuller.* Minn. Municipalities. May, 1933.

Milk Supply. Municipal milk sanitation surveys in Minnesota. *Anon.* Minn. Municipalities. June, 1933.

Municipal Ownership. Municipal ownership in the last five years. *P. J. Raver.* Jour. Land & Pub. Util. Econ. May, 1933.

———. Tax-free cities: public profits from municipal power. *Louis Bartlett.* Nation. May 17, 1933.

———. The Delano municipal utility plant. *S. L. Sly.* Minn. Municipalities. June, 1933.

Politics. An experiment in local politics. *J. D. Fitzgerald.* New Outlook. June, 1933.

Powers. Municipal corporations—powers—extraterritorial operation. *R. A. Leedy.* Ore. Law Rev. Apr., 1933.

Public Welfare. The relief crisis in Detroit. *W. J. Norton.* Soc. Service Rev. Mar., 1933.

———. How Minnesota cities are meeting poor relief demands. *J. E. Alger.* Minn. Municipalities. May, 1933.

———. Detroit's new district plan. *E. L. Keener.* Survey. June, 1933.

Public Works. Public improvements and the city engineer's part. *H. B. Bleck.* Ill. Mun. Rev. May, 1933.

———. The new federal public works bill. *Anon.* Minn. Municipalities. June, 1933.

Tort Liability. Tort liability of irrigation district acting as quasi-municipal corporation. *F. S. Wahrhaftig.* Cal. Law Rev. May, 1933.

Township Government. Township government in North Dakota. *J. A. McCrae.* Quar. Jour. Univ. N. D. No. 3, 1933.

Urbanization. America returns to the soil. *D. Wilhelm.* Rev. of Revs. May, 1933.

———. Land Ho! The trek toward economic security. *Arthur Pound.* Atlan. Mo. June, 1933.

Waste Disposal. An attack on the problem of the disposal of household wastes. *F. K. Duncan.* Am. City. June, 1933.

———. Municipal refuse collection and disposal methods. *L. G. Williams.* Ill. Mun. Rev. May, 1933.

Water Supply. Treatment of the water supply of Wellsburg, W. Va. *M. J. Davis.* Am. City. May, 1933.

POLITICAL THEORY AND MISCELLANEOUS

Books

Adams, Mary, ed. The modern state. Pp. 320. N. Y.: Century.

Andreae, W. Kapitalismus, Bolschewismus, Faschismus. Pp. 222. Jena: Fischer.

Anon. Where stands socialism today. Pp. 205. London: Rich & Cowan.

Carew, R. N. H. Calvin. Pp. 336. London: Centenary Press.

Corteano, A. L'evolution de l'état. Pp. 240. Paris: Payot.

Edwards, M. John Wesley and the eighteenth century; a study of his social and political influence. Pp. 220. London: Allen & Unwin.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Geiger, G. R. The philosophy of Henry George. Pp. 600. N. Y.: Macmillan.

Gettell, R. G. Political science. Pp. 496. Boston: Ginn.

Greenman, A. T. Making efficient citizens. Pp. 148. Boston: Christopher.

Hadamovsky, E. Propaganda and nationale Machte. Pp. 151. Oldenberg: Stalling.

Hearnshaw, F. J. C. The social and political ideas of some representative thinkers of the Victorian age. Pp. 271. London: Harrap.

Herring, J. W. Social planning and adult education. Pp. 148. N. Y.: Macmillan.

Hutchinson, M. Capitalism. (Pamphlet.) London: Benn.

Jevons, H. S. Economic equality in the coöperative commonwealth. Pp. 355. London: Methuen.

Johnson, J. E., comp. Selected articles on capitalism and its alternatives. Pp. 497. N. Y.: H. W. Wilson.

Karve, D. G. Federations: a study in comparative politics. Pp. 333. N. Y.: Oxford Univ. Press.

Lehmann, K. Das Recht der parlamentarischen Minderheiten. Pp. 166. Berlin: Rothschild.

Lucius, P. Renaissance du capitalisme. Pp. 384. Paris: Payot.

Man, de. Le socialisme constructif. Pp. 250. Paris: Alcan.

Mund, V. A. Monopoly: a history and theory. Pp. 170. Princeton (N. J.): Princeton Univ. Press.

Mussolini. Le fascisme, doctrines et institutions. Pp. 256. Paris: Denoël.

Niederer, W. Der Ständestäat des Faschismus. Pp. 190. Leipzig: Duncker & Humblot.

Nitti, F. La democratie. 2 vols. Paris: Alcan.

Olgin, M. J. Maxim Gorky, writer and revolutionist. Pp. 64. N. Y.: Int. Publishers.

Osthold, P. Die Schuld der Sozialdemokratie. Pp. 264. Berlin: Zeitkritik.

Penty, A. J. Communism and the alternative. Pp. 128. London: Student Christian Movement.

Petersen, A. Karl Marx and marxism. (Pamphlet.) N. Y.: N. Y. Labor News Co.

Reeve, S. A. The natural laws of social convulsion. Pp. 607. N. Y.: Dutton.

Rosen, E. L. R. Der Fascismus und seine Staatsidee. Pp. 95. Berlin: Heymann.

Rosenthal, P. Biocratie. Pp. 112. Paris: Gommès.

Salin, E. Wirtschaft und Staat. Pp. 206. Berlin: Hobbing.

Schaub, E. L., ed. Spinoza, the man and his thought. (Pamphlet.) Chicago: Open Court.

Schotte, W. Der neue Staat. Pp. 165. Berlin: Neufeld & Henius.

Shillito, Edward. Nationalism: man's other religion. Pp. 170. Chicago: Willett, Clark & Co.

Sokolowskie, P. von. Politik und Rechtsphilosophie. Pp. 721. Halle: Niemeyer.

Spengler, O. Politische Schriften. Pp. 337. München: C. H. Beck.

Stalin, Josef. Leninism. Vol. 2. Pp. 468. N. Y.: Int. Publishers.

Stocks, J. L. Jeremy Bentham, 1748–1832. (Pamphlet.) London: Manchester Univ. Press.

Tillich, P. Die sozialistische Entscheidung. Pp. 201. Potsdam: Protte.

Vandervelde, E. L'alternative: capitalisme d'état ou socialisme démocratique. Pp. 264. Paris: L'Eglantine.

Veysset, E. De la nécessité des partis organisés en régime parlementaire. Pp. 147. Paris: Recueil Sirey.

Wood, H. G. The truth and error of communism. Pp. 160. London: Student Christian Movement.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Articles

Capitalism. For honest capitalism. *P. W. Wilson.* N. Am. Rev. May, 1933.

Charity. English dole and American charity. *Helen Hall.* Atlan. Mo. May, 1933.

Communism. Communism and complacency. *R. K. Byrns.* Catholic World. June, 1933.

Democracy. La crise de la démocratie. *C. Angelesco.* Rev. Gen. Droit Légis et Juris. Jan., 1933.

Economics. "The nature and significance of economic science" in recent discussion. *R. W. Souter.* Quar. Jour. Econ. May, 1933.

Economic Morality. A new economic morality. *Sir Arthur Salter.* Harper's. May, 1933.

Fascism. L'iniziativa individuale. *Ugo Spirito.* Nuovi Studi Diritto Econ. e Pol. Nov., 1932.

———. La politique économique du fascisme. *Vittorio Gorresio.* Rev. Econ. Int. Apr., 1933.

———. Probleme des korporativen Staates. *L. M. Lachmann.* Zeitschrift gesamte Staatswissenschaft. Apr., 1933.

———. Fascism and the socialist failure. *G. D. H. Cole.* Current Hist. June, 1933.

Freedom. Human rights: have we any rights? *H. H. Titus.* Social Sci. Apr., 1933.

———. Freedom and the educational process. *J. S. Cornett.* Bull. Assoc. Am. Colleges. May, 1933.

———. The recoil from freedom. *Anon.* Round Table. June, 1933.

Freund. Ernst Freund, 1864–1932, jurist and social scientist. *A. H. Kent.* Jour. Pol. Econ. Apr., 1933.

History. The relativity of history. *C. W. Cole.* Pol. Sci. Quar. June, 1933.

Montesquieu. Montesquieu and the separation of powers. *J. T. Brand.* Ore. Law Rev. Apr., 1933.

Parliaments. The collapse of parliaments. *Hoffman Nickerson.* Am. Mercury. June, 1933.

Political Science. Statisticians and political scientists. *H. F. Gosnell.* Am. Pol. Sci. Rev. June, 1933.

———. A search for facts in government—a supplement. *Govt. Research Assoc.* Nat. Mun. Rev. June, 1933.

Public Administration. The relation of the universities to public administration. *A. W. Pickard-Cambridge.* The first ten years; a review of the work of the Institute of Public Administration. *W. D. Sharpe.* Pub. Admin. Apr., 1933.

Public Opinion. Measuring public opinion. *E. S. Bogardus.* Sociol. & Soc. Research. May, 1933.

———. Making public opinion. *Wickam Steed.* Fort. Rev. May, 1933.

———. Concepts of public opinion. *F. G. Wilson.* Am. Pol. Sci. Rev. June, 1933.

Social Sciences. Limitations to the application of social science implied in recent social trends. *C. A. Beard.* A century of progress in the social sciences. *L. L.* and *J. S. Bernard.* Recent trends in the application of the social sciences. *H. W. Odum.* Social Forces. May, 1933.

Social Trends. Recent social trends: a criticism and a reply. *P. A. Sorokin* and *W. F. Ogburn.* Jour. Pol. Econ. Apr., 1933.

Socialism. The socialization of banking. *E. F. Wise.* Pol. Quar. Apr., 1933.

Theory of Taxation. The benefit theory of taxation. *D. T. Krauss.* Tenn. Law Rev. June, 1933.

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GOVERNMENT PUBLICATIONS

MILES O. PRICE
Law Library, Columbia University

AMERICAN

UNITED STATES

Commerce department

Functions of department of commerce, letter transmitting in response to Senate resolution 351 (72d Congress), report of all functions . . . and annual cost thereof. Wash: Govt. Ptg. Off., 1933. 49 p.

This is one of a large number of such publications in response to the above resolution. They include descriptions of the functions of practically every department and independent office. All were printed as Senate documents of the 73d Congress, 1st session. This one was listed as a sample, and no more will be listed.

Congress

House of representatives. Banking and currency committee. Unemployment relief, hearings, 73d congress, 1st session, on H. R. 4606, to provide for coöperation by federal government with the several states and territories and the District of Columbia in relieving hardship and suffering caused by unemployment, April 11–18, 1933. Washington: Govt. Ptg. Off., 1933. 116 p.

———. *Foreign Affairs committee.* Exportation of arms or munitions of war, hearings, 72d Congress, 2d session, on H. J. Res. 580, to prohibit exportation of arms or munitions of war from United States under certain conditions. Washington: Govt. Ptg. Off., 1933. 73 p.

———. *Same,* 73d Congress, 1st session, on H. J. Res. 93. Washington: Govt. Ptg. Off., 1933. 36 p.

Senate. Report of committee of Women's Bar Association of District of Columbia to study documents relating to permanent court of international justice, with annexes thereto; presented by Mr. Moses. Washington: Govt. Ptg. Off., 1933. 110 p. (S. doc. 209, 72d. Congress 2d session.)

———. Report on investigation relative to use of silver coinage in European countries whose governments are indebted to the United States; by Carl Hayden. Washington: Govt. Ptg. Off., 1933. 29 p.

———. *Finance committee.* Investigation of economic problems, hearings, 72d congress, 2d session, pursuant to the S. Res. 315, authorizing and directing finance committee to make investigation and study of present economic problems of the United States with view to securing constructive suggestions with respect to the solution of such problems . . . (Thus far, 7 parts have been published, with a total of 1071 pages.)

———. *Immigration committee.* American citizenship rights of women, hearings before subcommittee, 72d Congress, 2d session, on S. 992, relating to residence requirements for naturalization purposes of alien wives of members of diplomatic and consular service of U.S. and wives of other employees of government stationed abroad; S. 2760, relative to admission under immigration laws of wives of American citizens; S. 3968, to provide for citizenship of child born of American mother and alien father; and S. 4169, relative to citizenship of minor children, Mar. 2, 1933. (Includes American citizenship rights of women, by John L. Cable.) Washington: Govt. Ptg. Off., 1933, 76 p.

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———. *Judiciary committee.* Uniform system of bankruptcy, hearing, 72d Congress, 2d session, on S. 5699, to amend act to establish uniform system of bankruptcy throughout United States, as amended (so as to provide for temporary relief of insolvent municipal corporations and to preserve taxable values of property therein). Washington: Govt. Ptg. Off., 1933. 46 p.

Federal reserve board

Constitutionality of legislation providing unified commercial banking system for United States, opinion of general counsel of federal reserve board. Washington: Govt. Ptg. Off., 1933. 21 p.

Veterans administration

Public no. 2, 73d Congress, and executive orders issued pursuant thereto governing granting of benefits to veterans of armed forces of United States and their dependents. Washington: Govt. Ptg. Off., 1933. 29 p. (Includes all executive orders and regulations putting into effect the cuts in veterans relief.)

STATE

This is the issue in which are usually included many messages by governors of the various states. Due, however, to the fact that so many states have had regular and/or special sessions dealing with relief problems, and that these messages have largely to do with relief and so are much alike, no individual ones will be listed.

ARIZONA

Senate. Special legislative committee to investigate costs of government and make recommendations. Report of special legislative committee appointed by the president of the tenth Senate, Arizona state legislature, to study costs of government and make recommendations. Phoenix, 1933. 15 p.

CALIFORNIA

Crime problem advisory committee. Report . . . with the coöperation of the bureau of public administration of the University of California . . . December, 1932. Sacramento, 1932. 154 p.

Legislature. Assembly. Interim committee on legislative procedure and reduction of legislative expense. Preliminary report . . . Sacramento, 1932. 111 p.

COLORADO

Governor. Organization (chart) of the state government of Colorado, prepared by Colorado legislative reference office, Allen Moore, director. Denver, 1932.

ILLINOIS

University of Illinois, Urbana. Costs of township and county government in Illinois, by M. H. Hunter. Urbana, 1933. 31 p. illus. (Bureau of business research. Bulletin no. 45.)

MAINE

University of Maine, Orono. Progressive movement of 1912 and third party movement of 1924 in Maine, by Elizabeth Ring. Orono, 1933. 68 p. (University of Maine studies, Second series, no. 26.)

MARYLAND

Secretary of state. Reorganization of the state government of Maryland and fewer elections amendment . . . Annapolis, 1932. 56 p.

MICHIGAN

Legislature. Michigan legislative decisions. Lansing, 1932. 43 p. (These decisions have been carefully collected from the legislative journals from 1835 to 1929, inclusive.)

———. Michigan legislative handbook compiled by Don W. Canfield, secretary

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of the senate, and Myles F. Gray, clerk of the house of representatives. Lansing, 1933. 261 p.

NEW HAMPSHIRE

Secretary of state. Manual for the general court, 1933 . . . Concord, 1933. 429 p.

NEW JERSEY

Manual of the legislature of New Jersey . . . 1933 . . . Trenton, 1933. 727 p.

NEW YORK

Legislature. Joint legislative committee on classification of positions in the civil service. Report . . . transmitted to the Legislature, 1932. Albany, 1932. 749 p.

State college of agriculture, Cornell university, Ithaca. (The department of agricultural economics and farm management has, since 1931, published studies on the cost of local government in various counties of New York. Those so far issued include a preliminary report covering the state; reports covering Genessee, Wyoming, Montgomery, Madison, and Seneca counties; and the towns of Batavia, Stafford, and Alexander in Genessee county.)

Temporary emergency relief administration, New York City. Emergency unemployment relief laws in the state of New York, 1931–32. The interpretation and application of emergency relief laws by the temporary emergency relief administration. Albany, 1932. 202 p.

OREGON

Legislative assembly. Interim legislative committee on the assessment and taxation of municipal utilities. Report. Salem, 1932. 40 p.

PENNSYLVANIA

Legislative reference bureau. Report to general assembly of 1933 of a bill codifying the laws relating to county tax assessments with notes and annotations. Harrisburg, 1933. 43 p. (Bulletin no. 43.)

TEXAS

Joint legislative committee on organization and economy. The governor of the state of Texas. To date, 13 parts of this report have been seen, each (except part 1, which is a general summary) covering some specific part of the whole, such as financial administration, education, etc. They vary in size from 42 to 318 pages, and have all appeared in 1932 and 1933.

State auditor and efficiency expert. Index of constitutional and statutory provisions relating to compensation of county, district, and state officials and employees, prepared by Carlos D. Speck, legal assistant. Austin, 1932. 183 p.

WISCONSIN

University of Wisconsin. The industrial commission of Wisconsin. A case study in labor law administration, by A. J. Altmeyer, secretary to the commission, with a foreword by John R. Commons. Madison, 1932. 324 p. (University of Wisconsin studies in the social sciences and history, no. 17.)

FOREIGN AND INTERNATIONAL

GERMANY

Das recht der nationalen revolution. ed. by Dr. G. Kaisenberg, Ministerialrat, and Dr. F. Medicus, Oberregierungsrat, both of the Reichsministerium des innern.

This is a series of publications on the new laws and measures of the Hitler government. So far, six have been published. They are included here, though legal, because they constitute explanations, under official sanction, of the new laws altering the German form of government.

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LEAGUE OF NATIONS

Monetary and economic conference. Official guide. London, 1933. 22 double pages. Text in French and English.

Conference for the reduction and limitation of armaments. Committee for the regulation of the trade in and the private and state manufacture of arms and implements of war. Progress report to the general commission . . . Geneva, 1933. 78 p. IX. Disarmament 1933. IX. 7.

———. National defense expenditure commission. Report of the technical committee. Geneva, 1933. 2 v.

———. Analogies between the problem of the traffic in narcotic drugs and that of the trade in and manufacture of arms. Geneva, 1933. 10 p. IX Disarmament 1933. IX. 4.

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